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STATUTES

PROVINCE OF ONTARIO

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ONTARIO

# STATUTES

OF THE

# PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD AT TORONTO IN THE

Seventeenth Year of the Reign  
of Her Majesty  
QUEEN ELIZABETH II

Being the First Session of the Twenty-Eighth  
Legislature of Ontario

CONVENED ON THE 14TH DAY OF FEBRUARY, 1968, AND  
PROROGUED ON THE 23RD DAY OF JULY, 1968

---

HIS HONOUR WILLIAM EARL ROWE  
LIEUTENANT GOVERNOR

AND


HIS HONOUR W. ROSS MACDONALD  
LIEUTENANT GOVERNOR

---

TORONTO

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PART I  
PUBLIC ACTS

Chapters 1 to 143





ONTARIO

# 17 ELIZABETH II

## CHAPTER 1

### **An Act to provide for the Administration of Justice**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act, “administration of justice” means the <sup>Interpre-</sup>provision, maintenance and operation of,

- (a) the courts of justice of the Province, including division courts, juvenile and family courts and magistrates courts;
- (b) registry and land titles offices;
- (c) jails; and
- (d) the offices of coroners, clerks of the peace and Crown attorneys,

for the performance of their functions, including any functions delegated to such courts, institutions or offices or any official thereof by or under any Act. *New.*

**2.—**(1) The Minister of Public Works on behalf of Ontario, <sup>Agreements</sup>may, at any time, enter into agreements with the council of any municipality for the acquisition or assumption by Ontario of property, accommodation, furnishing or equipment, or of contracts therefor provided or entered into by the municipality for the administration of justice.

(2) For the purposes of subsection 1, the Minister of <sup>Idem</sup>Public Works may acquire more property or accommodation than is necessary for the purposes of the administration of justice, and may enter into agreements with the councils of municipalities for the use of any part of such property or accommodation by the municipality or a local board thereof for municipal purposes.



Property  
deemed for  
municipal  
purposes

(3) Where, by an agreement under subsection 1, the council of a municipality retains or acquires property used for the administration of justice, such property shall be deemed to be required for the purposes of the municipality.

Responsi-  
bility  
before  
agreement

(4) Where, immediately before this Act comes into force, a municipality provides accommodation, furnishing and equipment that it was required to provide for the purposes of the administration of justice, the municipality shall continue to provide such accommodation, furnishing and equipment until an agreement is entered into in respect thereof under subsection 1. *New.*

Contracts  
of employ-  
ment

3. Notwithstanding the provisions of any contract, where a person employed by the municipality in the administration of justice on the 31st day of December, 1967, is offered equivalent employment by Ontario, the municipality may terminate any contract of employment with such person. *New.*

Portion  
remitted to  
Ontario

4. Notwithstanding any other Act, every municipality shall pay to the Treasurer of Ontario all fines that are required by any Act to be paid over to the municipality, other than fines imposed for contravention of the by-laws of the municipality or a local board thereof. *New.*

Retaining  
special  
services

5.—(1) Where, in the opinion of the Crown attorney, special services are necessary for the detection of crime or the capture of a person who is believed to have committed a crime of a serious character, he may authorize and direct any person to perform such service, and shall certify upon the account to be rendered by the constable or other person what he deems a reasonable allowance to be paid to the person employed, and the amount so certified shall be paid to such person out of the moneys appropriated by the Legislature for the administration of justice. R.S.O. 1960, c. 5, s. 8 (1), *amended.*

Employ-  
ment and  
payment  
of inter-  
preter

(2) The Crown attorney may employ an interpreter in any criminal cause or investigation or at a coroner's inquest, and the interpreter shall be paid such amount as the Crown attorney certifies to be reasonable, and it shall be paid out of the moneys appropriated by the Legislature for the administration of justice. R.S.O. 1960, c. 5, s. 13, *amended.*

Payment  
for special  
services

6.—(1) Where services are rendered by a person in connection with a prosecution and the services are rendered by the direction or with the approval of the Director of Public Prosecutions, the person rendering the services is entitled

to be paid such sum as the Director of Public Prosecutions directs out of the moneys appropriated by the Legislature for the administration of justice.

(2) Where the Director of Public Prosecutions is of the opinion that it is necessary in order to procure the attendance as a witness for the Crown at a criminal trial of a person resident out of Ontario and that such person should be compensated for his loss of time and expenses in attending the trial, the Director of Public Prosecutions may direct that such sum as he deems reasonable be paid to such person out of the moneys appropriated by the Legislature for the administration of justice. Remuneration of witness coming to Ontario

(3) Where the Director of Public Prosecutions is of the opinion that it is advisable to bring a person charged with an indictable offence from a place out of or in Ontario to the place of trial in Ontario, he may direct that such be done and in every such case the expenses incurred in carrying out the direction shall be paid out of the moneys appropriated by the Legislature for the administration of justice. R.S.O. 1960, c. 5, ss. 10-12, *amended*. Payment of expenses of bringing accused to trial

7. The Lieutenant Governor in Council may make regulations, Regulations

- (a) requiring the payment of fees for any thing required or authorized to be done by any person in the administration of justice, and prescribing the amounts thereof;
- (b) providing for the payment of fees and expenses for services in connection with the administration of justice;
- (c) providing for any special provision considered necessary in respect of the terms of employment, remuneration and benefits of persons employed by municipalities in the administration of justice immediately before this Act comes into force and becoming employed by Ontario on the day this Act comes into force, or any class thereof. *New.*

8. *The Administration of Justice Expenses Act* is repealed. R.S.O. 1960, c. 5, repealed

9. This Act shall be deemed to have come into force on the 1st day of January, 1968. Commencement

10. This Act may be cited as *The Administration of Justice Act, 1968*. Short title





CHAPTER 2

**An Act to amend  
The Age Discrimination Act, 1966**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 5 of *The Age Discrimination Act, 1966* is amended by adding “or” at the end of clause *b*<sup>c. 3, s. 5, subs. 1, amended</sup> and by adding thereto the following clause:

- (c) publish or display or cause to be published or displayed or permit to be published or displayed any notice, sign, advertisement or publication, which expresses directly or indirectly any intention to make any limitation, specification or discrimination with respect to the employment or prospective employment of any person,

. . . . .

**2.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.<sup>Commence-ment</sup>

**3.** This Act may be cited as *The Age Discrimination Amendment Act, 1968*.<sup>Short title</sup>



## CHAPTER 3

**An Act to amend  
The Air Pollution Control Act, 1967**

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 8 of *The Air Pollution Control Act, 1967* is amended by striking out “or” at the end of clause *a*, by adding “or” at the end of clause *b* and by adding thereto the following clause:

1967,  
c. 2, s. 8,  
subs. 1,  
amended

- (c) respecting the air pollution caused by the concentration of motor vehicles at passenger, repair or storage depots or other places where motor vehicles are marshalled, housed or parked and such methods of operation and devices as may be necessary to prevent or lessen the emission of air contaminants.

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Air Pollution Control Amendment Act, 1968*.

Short title





CHAPTER 4

An Act respecting the  
Establishment, Extension,  
Improvement and Maintenance of Airports

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

(a) “Minister” means the Minister of Transport;

(b) “municipality” includes a metropolitan municipality.
- Interpre-  
tation

2.—(1) The Crown in right of Ontario, represented by the Minister, may enter into agreements with the Government of Canada and any municipality, corporation or individual, or any one or more of them, with respect to any matter in relation to the establishment, extension, improvement or maintenance of airports to serve any one or more areas in Ontario.

Agreements  
authorized

(2) Any municipality may enter into agreements under subsection 1.

Munici-  
palities  
authorized  
to enter into  
agreements

3. The Minister, with the approval of the Lieutenant Governor in Council, may provide funds to any municipality, corporation or individual for the purposes of acquiring by purchase, lease or otherwise any land or interest in land or any equipment, apparatus or thing that may be required for the establishment, extension, improvement or maintenance of any airport in respect of which an agreement has been entered into under section 2.

Funds for  
establish-  
ment,  
extension  
or mainten-  
ance of  
airport

4. The Minister may acquire, establish, operate and maintain airports and landing grounds to serve any one or more areas in Ontario.

Power of  
Minister  
to estab-  
lish, etc.,  
airports

5. The moneys required for the purposes of this Act shall be paid out of the moneys appropriated therefor by the Legislature.

Moneys

Commence-  
ment

**6.** This Act comes into force on the day it receives Royal Assent.

Short title

**7.** This Act may be cited as *The Airports Act, 1968*.

## CHAPTER 5

**An Act to amend  
The Art Gallery of Ontario Act, 1966**

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *a* of section 1 of *The Art Gallery of Ontario Act*, 1966, c. 8, 1966 is amended by striking out "directors" and inserting amended in lieu thereof "trustees".

**2.** Subsection 2 of section 2 of *The Art Gallery of Ontario Act*, 1966 is amended by striking out "directors" in the second line and inserting in lieu thereof "trustees". 1966, c. 8, s. 2, subs. 2, amended

**3.** Section 4 of *The Art Gallery of Ontario Act*, 1966 is repealed and the following substituted therefor: 1966, c. 8, s. 4, re-enacted

**4.—(1)** The affairs of the Gallery shall be managed and controlled by a board of trustees consisting of twenty-seven trustees as follows: Board of trustees

(a) five persons appointed by The College of Founders of The Art Gallery of Ontario;

(b) ten persons appointed by the membership of the Gallery;

(c) two persons appointed by the council of the City of Toronto; and

(d) ten other persons appointed by the Lieutenant Governor in Council.

**(2)** Each trustee shall hold office for one year and until his successor is appointed. Term of office

**(3)** Where a vacancy occurs for any reason among the trustees, the vacancy shall be filled by a person appointed by the body that appointed the trustee whose office is vacant. Vacancies



President,  
vice-  
presidents

- (4) The trustees shall annually elect from among themselves a president and one or more vice-presidents.

Presiding  
officer

- (5) The president shall preside at all meetings of the Board and, in his absence, a vice-president shall preside, and, in the absence of the president and the vice-presidents, the members present at a meeting shall elect one of themselves to preside.

1966, c. 8,  
s. 5, cl. *f*,  
amended

**4.**—(1) Clause *f* of section 5 of *The Art Gallery of Ontario Act, 1966* is amended by striking out “director or directors” in the first line and inserting in lieu thereof “trustee or trustees”.

1966, c. 8,  
s. 5, cl. *g*,  
amended

(2) Clause *g* of the said section 5 is amended by striking out “directors” in the first line and inserting in lieu thereof “trustees”.

1966,  
c. 8, s. 6,  
amended

**5.** Section 6 of *The Art Gallery of Ontario Act, 1966* is amended by adding at the end thereof “but the Board may by by-law change the fiscal year of the Gallery”, so that the section shall read as follows:

Fiscal year

6. The fiscal year of the Gallery shall extend from the 1st day of July of any year to the 30th day of June of the following year, but the Board may by by-law change the fiscal year of the Gallery.

Commence-  
ment

**6.** This Act comes into force on the day it receives Royal Assent.

Short title

**7.** This Act may be cited as *The Art Gallery of Ontario Amendment Act, 1968*.

## CHAPTER 6

## An Act to amend The Assessment Act

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subclause i of clause *m* of subsection 1 of section 9 of *The Assessment Act* is amended by inserting after "land" in the second line "whether paved or unpaved", so that the subclause shall read as follows:

- (i) For the purpose of this clause, a supervised car park means an area of unimproved land, whether paved or unpaved, where motor vehicles are parked or stored under supervision and where a charge for such supervision is made.

**2.** Clause *b* of subsection 5 of section 53 of *The Assessment Act* is amended by adding at the commencement thereof "notwithstanding subsection 3 of section 69 of *The Public Schools Act* and subsection 3 of section 34 of *The Secondary Schools and Boards of Education Act*", so that the clause shall read as follows:

- (b) notwithstanding subsection 3 of section 69 of *The Public Schools Act* and subsection 3 of section 34 of *The Secondary Schools and Boards of Education Act*, the amount credited to a body under clause *a* shall be paid over to such body not later than the 31st day of December in the year in which it was levied and shall be used by such body to reduce the levy for the purposes of such body in the next succeeding year, and, if the amount or any portion thereof is not paid over to such body on or before the 31st day of December in the year in which it was levied, the municipality so in default shall, if demanded by such body, pay interest thereon to such body at the rate of 6 per cent per annum from such date until payment is made.

R.S.O. 1960,  
c. 23, s. 72,  
subs. 21  
(1966, c. 10,  
s. 14,  
subs. 2),  
cl. b,  
amended

**3.** Clause *b* of subsection 21 of section 72 of *The Assessment Act*, as re-enacted by subsection 2 of section 14 of *The Assessment Amendment Act, 1966*, is amended by striking out "shall" in the second line and inserting in lieu thereof "may, as an alternative to complying with clause *a*", so that the clause shall read as follows:

(b) where data processing equipment is used, may, as an alternative to complying with clause *a*, forthwith cause to be prepared a new assessment roll, which shall include all changes made by the court of revision, and shall initial each entry in which a change has been made by the court of revision, and shall complete the roll by adding the same and inserting the total of such additions.

R.S.O. 1960,  
c. 23, s. 93c  
(1961-62,  
c. 6, s. 9),  
amended

**4.** Section 93c of *The Assessment Act*, as enacted by section 9 of *The Assessment Amendment Act, 1961-62*, is amended by inserting after "to" in the second line "cities and to", so that the section shall read as follows:

Grants

93c. The Minister may make regulations providing for the payment of grants to cities and to counties that have passed a by-law appointing a county assessment commissioner under section 93a or appointing a county assessor as assessor for a local municipality under section 93b, and such grants shall be paid out of such moneys as are appropriated therefor by the Legislature.

R.S.O. 1960,  
c. 23, s. 130,  
subs. 7,  
re-enacted

**5.** Subsection 7 of section 130 of *The Assessment Act* is repealed and the following substituted therefor:

Repeal of  
by-law

(7) Where a by-law passed under subsection 1 is repealed, the assessment of business for the year in which the by-law is repealed shall be made and levied upon in that year, and in that year and in each subsequent year the assessment of business shall be made together with the assessment of real property for taxation in the following year.

Commence-  
ment

**6.—(1)** This Act, except sections 1 and 5, comes into force on the day it receives Royal Assent.

Idem

(2) Section 5 shall be deemed to have come into force on the 1st day of January, 1968.

Idem

(3) Section 1 comes into force on the 1st day of January, 1969.

Short title

**7.** This Act may be cited as *The Assessment Amendment Act, 1968*.

## CHAPTER 7

**An Act respecting the Marketing of Cattle  
for the Production of Beef**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,Interpre-  
tation

- (a) "association" means such association under *The Agricultural Associations Act* as is designated in the regulations; <sup>R.S.O. 1960, c. 6</sup>
- (b) "carcass" means a carcass of a head of cattle;
- (c) "cattle" includes bulls, cows, heifers, steers and calves but does not include cattle that are not sold for the production of beef;
- (d) "inspector" means an inspector appointed for the purposes of this Act;
- (e) "licence" means a licence issued under this Act;
- (f) "Minister" means the Minister of Agriculture and Food;
- (g) "plant" means a premises where cattle are slaughtered;
- (h) "price reporter" means a price reporter appointed for the purposes of this Act;
- (i) "regulations" means the regulations made under this Act;
- (j) "slaughter" means slaughter for the purpose of processing meat into food.



Purpose  
of Act

**2.** The purpose and intent of this Act is to provide for,

- (a) the establishment and standardization of procedures affecting the sale of cattle or carcasses; and
- (b) the designation and financing of an association that has power to make recommendations in respect of such procedures and to expend moneys to,
  - (i) stimulate, increase and improve the sale of cattle or carcasses,
  - (ii) disseminate information concerning the cattle industry, and
  - (iii) co-operate with any person or persons or any department of the Government of Canada or of the government of any province in the carrying out of its objects.

Licences

**3.—(1)** Except under the authority of a licence, no person shall sell cattle.

Idem

(2) Every person who sells cattle shall be deemed to be the holder of a licence.

Refund of  
licence fees

(3) Every person who is the holder of a licence under this section may apply for a refund of any licence fees paid by him to an association.

Idem

(4) Every application for a refund shall be made in the manner prescribed in the regulations.

Idem

(5) Where an association receives an application for a refund, it shall refund the licence fees in the manner prescribed in the regulations and in any case not later than one year after receipt of the application therefor.

Recom-  
mendations  
by directors  
of associa-  
tion

**4.—(1)** Where the board of directors of an association is of the opinion that a majority of the members of the association are in favour thereof, the board of directors may recommend to the Lieutenant Governor in Council the making, amending or revoking of regulations respecting any of the matters set forth in section 5.

Use of  
licence  
fees by  
association

(2) An association may use licence fees for the purposes of,

- (a) defraying the expenses of the association in the carrying out of its objects;

(b)

- (b) stimulating, increasing and improving the sale of cattle or carcasses;
- (c) disseminating information concerning the cattle industry; and
- (d) co-operating with any person or persons or any department of the Government of Canada or of the government of any province in the carrying out of its objects.

**5.**—(1) Notwithstanding section 4, the Lieutenant Governor in Council may make regulations, Regulations

- (a) designating an association for the purposes of this Act;
- (b) fixing the amount of licence fees up to but not exceeding,
  - (i) 15 cents for each head of cattle that weighs 500 pounds or more live weight, and
  - (ii) 5 cents for each head of cattle that weighs less than 500 pounds live weight;
- (c) requiring persons to pay licence fees owing by them to an association;
- (d) requiring any person who receives cattle from a seller thereof to deduct, from the moneys payable to the seller, any licence fee payable by the seller to an association and to forward such licence fees to the association;
- (e) providing for the recovery by the association of licence fees owing to the association by suit in a court of competent jurisdiction;
- (f) prescribing the manner in which applications for refund of licence fees shall be made and the manner in which refunds shall be made;
- (g) providing for the exemption from any or all of the regulations of any cattle or class of cattle or any person or class of persons;
- (h) providing for the inspecting, weighing and measuring of cattle and carcasses;
- (i) respecting the buying, selling, handling, weighing, measuring, shipping and transporting of cattle and carcasses;

(j)

- (j) prescribing the manner in which receipts, classifications, weights and purchase prices shall be recorded by persons engaged in the buying or selling of cattle and made available to the Minister;
- (k) prescribing the manner in which buyers, sellers, transporters and shippers of cattle or carcasses shall identify, for the purposes of inspecting, weighing and measuring, individual sellers' lots in a shipment;
- (l) prescribing the manner in which buyers shall make returns and prepare for presentation to the sellers the statements of accounts of purchase of cattle and carcasses;
- (m) respecting the facilities and equipment to be provided and maintained for the weighing and measuring of cattle and carcasses on premises in which cattle or carcasses are assembled, held, slaughtered, weighed or measured;
- (n) prescribing the basis on which the amount payable respecting a head of cattle or a carcass shall be calculated;
- (o) prescribing the time at which a person who purchases cattle shall weigh the cattle or the carcasses thereof;
- (p) prescribing the powers and duties of inspectors and price reporters;
- (q) providing for the issuing of inspection certificates by inspectors;
- (r) prescribing forms and providing for their use;
- (s) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Scope of regulations

- (2) Any regulation may be limited as to time or place, or to both.

Definitions

- (3) Any word or expression used in a regulation may be defined in the regulation for the purpose of the regulation.

Appointment of inspectors and price reporters

**6.** The Lieutenant Governor in Council may appoint inspectors and price reporters for the purposes of this Act and may fix their remuneration and allowance for expenses.

7.—(1) For the purpose of enforcing this Act and the regulations, an inspector may enter any premises used for the assembling, holding, slaughtering, storing, processing, grading, weighing, measuring, selling or offering for sale of any cattle or carcasses and inspect any cattle, carcasses, facilities or equipment found therein. <sup>Powers of inspector</sup>

(2) For the purpose of enforcing this Act and the regulations, an inspector may require the production or furnishing of copies of or extracts from any books, shipping bills, bills of lading or other records relating to cattle or carcasses. <sup>Production of documents</sup>

(3) For the purpose of inspecting a head of cattle or a carcass, an inspector may detain it at the risk of the owner and, after detaining it, the inspector shall forthwith notify the owner or person who had possession of it of the detention. <sup>Detention for purposes of inspection</sup>

(4) Where an inspector detains a head of cattle or a carcass under subsection 3, he shall, as soon as may be practicable, inspect the head of cattle and shall forthwith thereafter, <sup>Inspection after detention</sup>

(a) release the head of cattle or carcass from detention;  
or

(b) detain the head of cattle or carcass under section 8.

(5) No person shall hinder or obstruct an inspector or a price reporter in the course of his duties or furnish an inspector or price reporter with false information or refuse to permit any cattle, carcasses, facilities or equipment to be inspected or refuse to furnish an inspector or price reporter with information. <sup>Obstruction of inspector or price reporter</sup>

(6) A person shall, when required by an inspector, produce copies of and extracts from any books, shipping bills, bills of lading and other records relating to cattle or carcasses. <sup>Production of copies</sup>

8.—(1) Any cattle or carcasses, in respect of which an inspector believes on reasonable grounds an offence against this Act or the regulations has been committed, may be placed under detention at the risk and expense of the owner by the inspector, and the inspector shall forthwith thereafter notify the owner or the person who had possession of them of the detention in writing. <sup>Detention of cattle and carcasses</sup>

(2) A notice given by an inspector under subsection 1 shall contain the particulars in respect of which it is alleged the cattle or carcasses do not comply with the Act or the regulations. <sup>Notice to contain particulars</sup>



Period of  
detention

(3) Any cattle or carcasses detained under subsection 1 shall remain under detention until the owner of the cattle or carcasses complies with the Act and the regulations.

Release  
from  
detention

(4) Where an inspector is satisfied that the owner of cattle or carcasses that have been detained complies with the Act and the regulations respecting the cattle or carcasses, the inspector shall forthwith release them from detention.

Certificate  
of inspector  
or price  
reporter

9. The production by an inspector or a price reporter of a certificate of his appointment purporting to be signed by the Minister is admissible in evidence as *prima facie* proof of the facts stated in the certificate and of the authority of the inspector or price reporter to exercise the powers and perform the duties prescribed in this Act and the regulations.

Offences

10.—(1) Except as provided in subsection 2, every person who contravenes any of the provisions of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not less than \$25 and not more than \$100 for a first offence and to a fine of not less than \$100 and not more than \$500 for a subsequent offence.

Idem

(2) Every person who contravenes any of the provisions of subsection 5 of section 7 is guilty of an offence and on summary conviction is liable to a fine of not less than \$200 and not more than \$1,000.

Legal  
remedy not  
affected

11. No proceedings or conviction under this Act affects the right of any person to any legal remedy to which he would otherwise be entitled.

Where  
matter  
complained  
of deemed  
to have  
arisen

12. For the purpose of jurisdiction, in an information or conviction for a contravention of any of the provisions of this Act or the regulations, the matter complained of may be alleged and shall be deemed to have arisen at the place where the cattle or carcasses were sold, offered, exposed or had in possession for sale or at the residence or usual place of residence of the person charged with the contravention.

Commence-  
ment

13. This Act comes into force on the day it receives Royal Assent.

Short title

14. This Act may be cited as *The Beef Cattle Marketing Act, 1968*.

## CHAPTER 8

# **An Act to amend The Blind Workmen's Compensation Act**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *c* of section 1 of *The Blind Workmen's Compensation Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 36, s. 1,  
cl. *c*,  
re-enacted

(*c*) "Department" means the Department of Labour.

**2.** Section 2 of *The Blind Workmen's Compensation Act* is R.S.O. 1960,  
c. 36, s. 2,  
amended amended by striking out "Consolidated Revenue Fund" in the eighth line and inserting in lieu thereof "moneys appropriated therefor by the Legislature", so that the section shall read as follows:

2. Where the full cost of compensation exceeds \$50, Reimburse-  
ment to  
employers the Department shall, in the case of industries coming under Schedule 1 of the regulations under *The Workmen's Compensation Act*, pay the compensation to the Board by way of reimbursement to the accident fund as defined by such Act, and, in the case of industries coming under Schedule 2, pay the compensation to the employer, such payment or payments to be made out of the moneys appropriated therefor by the Legislature upon receiving from the Board a certificate of the full cost of compensation, which certificate may be accepted by the Department without further proof. R.S.O. 1960,  
c. 437

**3.** This Act comes into force on the 1st day of July, 1968. Commence-  
ment

**4.** This Act may be cited as *The Blind Workmen's Compensation Amendment Act, 1968*. Short title



## CHAPTER 9

## An Act to amend The Brucellosis Act, 1965

*Assented to April 11th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *c* of section 1 of *The Brucellosis Act, 1965* <sup>1965, c. 10, s. 1, cl. *c*, amended</sup> is amended by adding at the end thereof “and Food”.

(2) Clause *e* of the said section 1 is amended by adding <sup>1965, c. 10, s. 1, cl. *e*, amended</sup> at the end thereof “and Food”.

**2.** Subsections 2 and 3 of section 7 of *The Brucellosis Act, 1965* <sup>1965, c. 10, s. 7, subs. 2, re-enacted; subs. 3, repealed</sup> are repealed and the following substituted therefor:

(2) Where a veterinarian receives a notice under sub-<sup>Vaccination after notice</sup>section 1, he may vaccinate the calf on such terms and conditions as may be agreed upon between the veterinarian and the owner.

**3.** Subsection 1 of section 9 of *The Brucellosis Act, 1965* <sup>1965, c. 10, s. 9, subs. 1, amended</sup> is amended by striking out “or a veterinarian” in the second line, so that the subsection shall read as follows:

(1) For the purposes of carrying out his duties under <sup>Right of entry</sup>this Act, an inspector may at any time between sunrise and sunset enter any premises or building other than a dwelling house.

**4.** Clauses *d* and *e* of section 12 of *The Brucellosis Act, 1965* <sup>1965, c. 10, s. 12, cls. *d*, *e*, repealed</sup> are repealed.

**5.** This Act comes into force on the day it receives Royal <sup>Commence-ment</sup>Assent.

**6.** This Act may be cited as *The Brucellosis Amendment* <sup>Short title</sup>*Act, 1968*.





## CHAPTER 10

## An Act to amend The Centennial Centre of Science and Technology Act, 1965

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 3 of *The Centennial Centre of Science and Technology Act, 1965* is amended by adding thereto the following <sup>1965, c. 12, s. 3,</sup> amended subsection:

(6) A by-law establishing a committee of the Board may <sup>Delegation to</sup> delegate to the committee such powers and duties of <sup>committees</sup> the Board as are determined in the by-law.

**2.—**(1) Subsection 1 of section 5 of *The Centennial Centre of Science and Technology Act, 1965* is amended by striking <sup>1965, c. 12, s. 5, subs. 1,</sup> amended out "Director" in the first line and inserting in lieu thereof "Director General".

(2) Subsection 2 of the said section 5 is amended by striking <sup>1965, c. 12, s. 5, subs. 2,</sup> amended out "Director" in the first line and inserting in lieu thereof "Director General".

**3.** This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent. <sup>ment</sup>

**4.** This Act may be cited as *The Centennial Centre of Science and Technology Amendment Act, 1968*. <sup>Short title</sup>



## CHAPTER 11

# An Act to amend The Charitable Institutions Act, 1962-63

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Section 1 of *The Charitable Institutions Act, 1962-63* <sup>1962-63, c. 11, s. 1, amended</sup> is amended by relettering clause *a* as clause *ab* and by adding thereto the following clauses:

(a) “approved charitable institution” means a charitable institution approved under section 3;

(aa) “approved corporation” means a corporation approved under section 2.

(2) Clause *ab* of the said section 1, as relettered by sub-section 1 of section 1 of this Act, is amended by adding thereto <sup>1962-63, c. 11, s. 1, amended</sup> the following subclause:

(iia) a home for retarded persons under *The Homes for Retarded Persons Act, 1966*. <sup>1966, c. 65</sup>

**2.** Section 2 of *The Charitable Institutions Act, 1962-63* <sup>1962-63, c. 11, s. 2, re-enacted</sup> is repealed and the following substituted therefor:

2. The Lieutenant Governor in Council may approve <sup>Approval of corporations</sup> for the purposes of this Act any corporation without share capital having objects of a charitable nature,

(a) to which Part III of *The Corporations Act* <sup>R.S.O. 1960, c. 71</sup> applies; or

(b) that is incorporated under a general or special Act of the Parliament of Canada.

**3.** Section 3 of *The Charitable Institutions Act, 1962-63* <sup>1962-63, c. 11, s. 3, amended</sup> is amended by adding at the end thereof “and such approval may take effect on any date fixed by the Lieutenant Governor

in

in Council that is prior to the date on which the approval is given, but in no case shall the date on which the approval takes effect precede the date of the approval given under section 2 to the corporation maintaining and operating the charitable institution", so that the section shall read as follows:

Approval of  
charitable  
institutions

3. The Lieutenant Governor in Council may approve charitable institutions for the purposes of this Act and such approval may take effect on any date fixed by the Lieutenant Governor in Council that is prior to the date on which the approval is given, but in no case shall the date on which the approval takes effect precede the date of the approval given under section 2 to the corporation maintaining and operating the charitable institution.

1962-63,  
c. 11, s. 7  
(1966, c. 16,  
s. 3),  
re-enacted

4. Section 7 of *The Charitable Institutions Act, 1962-63*, as re-enacted by section 3 of *The Charitable Institutions Amendment Act, 1966*, is repealed and the following substituted therefor:

Mainten-  
ance grants  
for institu-  
tions other  
than hostels

7. There shall be paid to an approved corporation out of the moneys appropriated therefor by the Legislature an amount equal to 80 per cent of the cost, computed in accordance with the regulations, of the care and maintenance of each person resident in an approved charitable institution other than a hostel, that is maintained and operated by the corporation.

1962-63,  
c. 11, s. 8,  
repealed

5. Section 8 of *The Charitable Institutions Act, 1962-63* is repealed.

1962-63,  
c. 11, s. 11,  
cl. f,  
repealed

- 6.—(1) Clause *f* of section 11 of *The Charitable Institutions Act, 1962-63* is repealed.

1962-63,  
c. 11, s. 11,  
cl. i,  
amended

- (2) Clause *i* of the said section 11 is amended by striking out "net" in the first line and in the fourth line, so that the clause shall read as follows:

- (i) prescribing the manner of computing the cost of the care and maintenance of a person resident in a charitable institution and the maximum amount of the cost to which the Province may contribute under section 7.

Commence-  
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The Charitable Institutions Amendment Act, 1968*.



## CHAPTER 12

**An Act respecting  
the Township of Charlottenburgh**

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The council of The Corporation of the Township of Charlottenburgh may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of a debenture or debentures of the Corporation in a principal amount not exceeding \$40,000, payable in not more than ten years, for the purpose of paying for the establishment of a water supply system in a portion of the Township adjoining the hamlet of Summerstown Station as provided for in the by-law set forth in the Schedule hereto.

**2.** Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 and the debenture or debentures to be issued thereunder.

**3.** For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 64 of *The Ontario Municipal Board Act* authorizing The Corporation of the Township of Charlottenburgh to proceed with the undertaking referred to in section 1 and authorizing The Corporation of the Township of Charlottenburgh to issue a debenture or debentures under section 1.

**4.** This Act comes into force on the day it receives Royal Assent.

**5.** This Act may be cited as *The Township of Charlottenburgh Act, 1968*.

SCHEDULE

BY-LAW NUMBER 11-67

FOR THE CORPORATION OF THE TOWNSHIP OF CHARLOTTENBURGH  
FOR THE YEAR 1967

*A By-law to authorize the acquisition of land, and the construction of a water system with wells, lagoon for water supply and fire protection.*

WHEREAS the Council of the Corporation of the Township of Charlottenburgh deem it desirable to establish a supply of water adjoining the hamlet of Summerstown Station, for water supply and fire protection.

NOW, THEREFORE, be it enacted and it is hereby enacted a by-law of the Corporation of the Township of Charlottenburgh:

1. THAT all necessary lands be purchased and work done to establish a supply of water by a system of deep wells and lagoon in the area of Summerstown Station, for a water supply and fire protection.
2. THAT the Reeve and Clerk be authorized to sign the necessary contracts and agreements to carry out the said work.

READ A FIRST AND SECOND TIME in Open Council, this 1st day of June, 1967.

.....,  
Reeve.

.....,  
Clerk.

READ A THIRD TIME, PASSED, SIGNED AND SEALED in Open Council, this 1st day of June, 1967.

.....,  
Reeve.

.....,  
Clerk.

## CHAPTER 13

## An Act to amend The Children's Institutions Act, 1962-63

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Section 1 of *The Children's Institutions Act, 1962-63* <sup>1962-63, c. 14, s. 1, amended</sup> is amended by relettering clause *a* as clause *ab* and by adding thereto the following clauses:

(a) "approved children's institution" means a children's institution approved under section 3;

(aa) "approved corporation" means a corporation approved under section 2.

(2) Clause *b* of the said section 1 is amended by adding <sup>1962-63, c. 14, s. 1, cl. b, amended</sup> thereto the following subclause:

(via) a home for retarded persons under *The Homes for Retarded Persons Act, 1966*. <sup>1966, c. 65</sup>

**2.** Section 2 of *The Children's Institutions Act, 1962-63* <sup>1962-63, c. 14, s. 2, re-enacted</sup> is repealed and the following substituted therefor:

2. The Lieutenant Governor in Council may approve <sup>Approval of corporations</sup> for the purposes of this Act any corporation without share capital having objects of a charitable nature,

(a) to which Part III of *The Corporations Act* <sup>R.S.O. 1960, c. 71</sup> applies; or

(b) that is incorporated under a general or special Act of the Parliament of Canada.

**3.** Section 3 of *The Children's Institutions Act, 1962-63* <sup>1962-63, c. 14, s. 3, amended</sup> is amended by adding at the end thereof "and such approval may take effect on any date fixed by the Lieutenant Governor in Council that is prior to the date on which the approval

is given, but in no case shall the date on which the approval takes effect precede the date of the approval given under section 2 to the corporation maintaining and operating the children's institution", so that the section shall read as follows:

Approval of  
children's  
institutions

3. The Lieutenant Governor in Council may approve children's institutions for the purposes of this Act and such approval may take effect on any date fixed by the Lieutenant Governor in Council that is prior to the date on which the approval is given, but in no case shall the date on which the approval takes effect precede the date of the approval given under section 2 to the corporation maintaining and operating the children's institution.

1962-63,  
c. 14, s. 7  
(1966, c. 18,  
s. 1),  
re-enacted

4. Section 7 of *The Children's Institutions Act, 1962-63*, as re-enacted by section 1 of *The Children's Institutions Amendment Act, 1966*, is repealed and the following substituted therefor:

Subsidy for  
operating  
and main-  
tenance  
costs

7. There shall be paid to an approved corporation out of the moneys appropriated therefor by the Legislature an amount equal to 80 per cent of the cost, computed in accordance with the regulations, of services provided by an approved children's institution that is maintained and operated by the corporation for children who are not wards of the Crown or wards of a children's aid society under *The Child Welfare Act, 1965*.

1965, c. 14

1962-63,  
c. 14, s. 11,  
cl. g  
(1966, c. 18,  
s. 2, subs. 1),  
repealed

5. Clause g of section 11 of *The Children's Institutions Act, 1962-63*, as re-enacted by subsection 1 of section 2 of *The Children's Institutions Amendment Act, 1966*, is repealed.

Commence-  
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. This Act may be cited as *The Children's Institutions Amendment Act, 1968*.

## CHAPTER 14

## An Act to amend The Community Centres Act

*Assented to May 2nd, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 2 of *The Community Centres Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 60, s. 2,  
subs. 1,  
re-enacted

(1) The Minister may grant aid to any municipality to assist in the establishment of a community centre, but no grant shall exceed the lesser of, Grants

(a) \$10,000 or 25 per cent of the cost of a building or that part of a building designed for a community hall or skating arena, or of the cost of an athletic field or outdoor skating rink; or

(b) \$15,000 or 25 per cent of the cost of a building or that part of a building designed for an indoor swimming pool, or of the cost of an outdoor swimming pool.

(2) Subsection 3 of the said section 2 is repealed and the following substituted therefor: R.S.O. 1960,  
c. 60, s. 2,  
subs. 3,  
re-enacted

(3) Notwithstanding subsection 1, the Minister may make a grant not exceeding the lesser of, Combined  
community  
hall and  
swimming  
pool or  
skating  
arena

(a) \$20,000 or 25 per cent of the total cost of a building or that part of a building designed to include both a community hall and a skating arena; or

(b) \$25,000 or 25 per cent of the total cost of a building or that part of a building designed to include both a community hall and an indoor swimming pool.

2. Subsection 1 of section 4 of *The Community Centres Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 60, s. 4,  
subs. 1,  
re-enacted

(1)



By-laws for  
establish-  
ment of  
community  
centres

- (1) The council of any municipality may by by-law provide for the establishment of one or more community centres in accordance with this Act, and may acquire by purchase or otherwise real and personal property for that purpose.

R.S.O. 1960,  
c. 60,  
amended

**3.** *The Community Centres Act* is amended by adding thereto the following section:

Agreements  
for joint  
use of  
community  
centres

- 4a.—(1) In the establishment of a community centre under this Act, the council of the municipality that passes the by-law may enter into an agreement with the council or councils of any other municipality or municipalities for the joint use of the community centre by the inhabitants of the municipalities upon such terms as may be agreed respecting contributions to the cost of the community centre and the maintenance thereof.

Grants

- (2) Notwithstanding section 2, where an agreement for the joint use of a community centre is entered into under subsection 1, the Minister may make to each municipality a grant not exceeding the amount that may be paid under section 2 to a municipality that passes a by-law, but the total aid granted under this subsection in respect of any one community centre shall not exceed 50 per cent of the cost thereof.

R.S.O. 1960,  
c. 60, s. 6,  
subs. 1,  
amended

**4.**—(1) Subsection 1 of section 6 of *The Community Centres Act* is amended by striking out “and not more than seven” in the fourth line, so that the subsection shall read as follows:

Composition  
of board

- (1) Every community centre established by a municipality under this Act shall be under the management and control of a board appointed by the council of the municipality and composed of not fewer than three persons who are qualified to be elected as members of the council and, where the board is composed of five or more persons, at least two shall be members of the council.

R.S.O. 1960,  
c. 60, s. 6,  
subs. 3a  
(1962-63,  
c. 17, s. 1),  
amended

(2) Subsection 3a of the said section 6, as enacted by section 1 of *The Community Centres Amendment Act, 1962-63*, is amended by striking out “the number of such persons appointed shall be less than one-half of the membership of the board” in the thirteenth, fourteenth and fifteenth lines and inserting in lieu thereof “the persons appointed to represent a municipality contributing to the cost of the community centre under an agreement for the joint use thereof shall be persons who are qualified to be elected as members of the council of the contributing municipality”.

(3) The said section 6, as amended by section 1 of *The Community Centres Amendment Act, 1962-63*, is further amended by adding thereto the following subsection: R.S.O. 1960, c. 60, s. 6, amended

- (6) The board of a community centre has power to let from year to year, or for any time not exceeding ten years, the right to sell refreshments within the community centre on such terms and conditions as the board shall prescribe. Power of board to let the right to sell refreshments

5. Section 8 of *The Community Centres Act*, as re-enacted by section 1 of *The Community Centres Amendment Act, 1965*, is repealed and the following substituted therefor: R.S.O. 1960, c. 60, s. 8 (1965, c. 16, s. 1), re-enacted

- 8.—(1) The Minister may make grants to a board as defined in *The Schools Administration Act* to provide for an athletic field, an outdoor swimming pool or an outdoor skating rink and, in the case of a board having jurisdiction only in territory without municipal organization, to provide in addition for a community hall, on the same terms as set forth in this Act, except that such fields, pools, rinks and community halls shall be managed and conducted by the board, and such property shall be vested in the board, provided always that such fields, pools, rinks and community halls shall be available for the uses prescribed by the regulations. Grants to school boards R.S.O. 1960, c. 361

- (2) In the establishment of a community centre of a kind referred to in subsection 1, a board, as defined in *The Schools Administration Act* and having jurisdiction only in territory without municipal organization, may enter into an agreement with the council or councils of any municipality or with a like board for the joint use of the community centre, upon such terms as may be agreed respecting contribution to the cost of the community centre and the maintenance thereof, and the Minister may make grants to the board in the same manner as grants may be made to a municipality under subsection 2 of section 4a. Idem

6.—(1) This Act, except sections 1, 2 and 3 and subsections 1 and 2 of section 4, comes into force on the day it receives Royal Assent. Commencement

(2) Sections 1, 2 and 3 and subsections 1 and 2 of section 4 shall be deemed to have come into force on the 1st day of September, 1967. Idem

7. This Act may be cited as *The Community Centres Amendment Act, 1968*. Short title



## CHAPTER 15

**The Conservation Authorities Act, 1968**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "administration costs" means salaries and travelling expenses of members and employees of an authority, office rent, maintenance and purchase of office equipment, expenses connected with exhibits, visual equipment and printed matter for educational purposes, and all expenditures necessary for carrying out the objects of an authority other than capital expenses and maintenance costs of approved projects;
- (b) "advisory board" means an advisory board appointed by an authority;
- (c) "authority" means a conservation authority established by or under this Act or a predecessor of this Act;
- (d) "executive committee" means the executive committee appointed by an authority;
- (e) "land" includes buildings and any estate, term, easement, right or interest in, to, over or affecting land;
- (f) "maintenance costs" means all expenditures required specifically in relation to the operation or maintenance of an approved project;
- (g) "Minister" means the Minister of Energy and Resources Management;
- (h) "municipality" means a city, town, village or township, and includes a band under the *Indian Act* (Canada) that is permitted to control, manage and

R.S.C. 1952,  
c. 149

expend

expend its revenue moneys under section 68 of that Act;

(i) "participating municipality" means a municipality that is designated by or under this Act as a participating municipality;

(j) "project" means a work undertaken by an authority for the furtherance of its objects;

1962-63,  
c. 39

(k) "referee" means the referee appointed under *The Drainage Act, 1962-63*;

(l) "watershed" means an area drained by a river and its tributaries. R.S.O. 1960, c. 62, s. 1; 1961-62, c. 16, s. 1, *amended*. •

Calling of  
meeting

**2.—**(1) Where the councils of any two or more municipalities situate either wholly or partly within a watershed by resolution request the Minister to call a meeting for the establishment of an authority for the watershed or any defined part thereof, the Minister shall fix a time and place for such a meeting and shall forthwith notify the council of every municipality either wholly or partly within the watershed or such part thereof.

Represent-  
atives at  
meeting

(2) The council of each municipality may appoint representatives to attend the meeting in the following numbers:

1. Where the population is 250,000 or more, five representatives.
2. Where the population is 100,000 or more but less than 250,000, four representatives.
3. Where the population is 50,000 or more but less than 100,000, three representatives.
4. Where the population is 10,000 or more but less than 50,000, two representatives.
5. Where the population is less than 10,000, one representative.

Authority  
of represent-  
atives

(3) The representatives so appointed have authority to vote and generally act on behalf of their respective municipalities at such meeting.



(4) At any meeting called under this section, a quorum <sup>Quorum</sup> consists of two-thirds of the representatives that the municipalities notified are entitled to appoint, but, where not fewer than three representatives are present at a meeting or adjourned meeting, they may adjourn the meeting or adjourned meeting from time to time. R.S.O. 1960, c. 62, s. 2.

**3.**—(1) Upon receipt by the Minister of a resolution <sup>Establishment of authority</sup> passed at a meeting or adjourned meeting held under section 2 and at which a quorum was present by not less than two-thirds of the representatives present thereat requesting the establishment of an authority, the Lieutenant Governor in Council may establish a conservation authority and designate the municipalities that are the participating municipalities and the area over which the authority has jurisdiction.

(2) Where a city, town or village is only partly within the watershed, the Lieutenant Governor in Council may include <sup>Urban municipalities</sup> the whole or that part of the city, town or village in the area over which the authority has jurisdiction.

(3) The name of each authority shall be determined by the <sup>Name of authority</sup> Lieutenant Governor in Council and shall conclude with the words "conservation authority".

(4) Every authority is a body corporate. <sup>Corporate body</sup>

(5) Every authority may, for its purposes, borrow on the <sup>Borrowing power</sup> promissory note of the authority, at such rate of interest as the Minister approves, such moneys as may be required until payment to the authority of any grants and of sums to be paid to the authority by the participating municipalities. R.S.O. 1960, c. 62, s. 3.

**4.**—(1) In this section, "Metropolitan Conservation Authority" means The Metropolitan Toronto and Region Conservation Authority. <sup>Interpretation</sup>

(2) The Metropolitan Toronto and Region Conservation Authority is continued. <sup>Metropolitan Conservation Authority continued</sup>

(3) The Municipality of Metropolitan Toronto, the towns of Ajax, Brampton, Mississauga and Richmond Hill, the townships of Adjala, Albion, Caledon, Chinguacousy, King, Markham, Mono, Pickering, Toronto Gore, Uxbridge, Vaughan and Whitchurch and the villages of Bolton, Markham, Pickering, Stouffville and Woodbridge are hereby designated as the participating municipalities in the Metropolitan Conservation Authority for the purposes of this Act. <sup>Participating municipalities</sup>

Jurisdiction  
of Metro-  
politan  
Conserva-  
tion  
Authority

(4) The Metropolitan Conservation Authority has jurisdiction in all matters provided for in this Act over an area composed of all areas formerly under the jurisdictions of the Etobicoke-Mimico Conservation Authority, the Humber Valley Conservation Authority, the Don Valley Conservation Authority, and the Rouge, Duffin, Highland, Petticoat Conservation Authority, together with all other areas lying between the westerly limit of the area formerly under the jurisdiction of the Etobicoke-Mimico Conservation Authority and the easterly limit of the area formerly under the jurisdiction of the Rouge, Duffin, Highland, Petticoat Conservation Authority and which front on Lake Ontario and together with the area within the watershed of Carruthers Creek and the area known as Toronto Island.

Adjala,  
Caledon and  
Mono to be  
one muni-  
cipality

(5) For the purposes of appointing members to the Metropolitan Conservation Authority, the townships of Adjala, Caledon and Mono shall be considered as one municipality.

Members

(6) Notwithstanding section 12, the number of members appointed to the Metropolitan Conservation Authority by The Municipality of Metropolitan Toronto shall at all times be equal to the total number of members appointed by the other participating municipalities. R.S.O. 1960, c. 62, s. 4 (1-6).

Hamilton  
Region Con-  
servation  
Authority  
continued

5.—(1) The Hamilton Region Conservation Authority is continued.

Partic-  
ipating  
muni-  
cipalities

(2) The City of Hamilton, the towns of Dundas and Stoney Creek and the townships of Ancaster, Beverly, Flamborough East, Flamborough West, Puslinch and Saltfleet are hereby designated as the participating municipalities in the Hamilton Region Conservation Authority for the purposes of this Act.

Jurisdiction  
of Authority

(3) The Hamilton Region Conservation Authority has jurisdiction in all matters provided for in this Act over an area composed of the watersheds of Spencer Creek and all other streams entering Lake Ontario, including any bays or inlets thereof, from the point where the northeast boundary of the Spencer Creek watershed meets the shore of Lake Ontario to the point where the northwest boundary of the Niagara Peninsula Conservation Authority meets the shore of Lake Ontario.

Idem

(4) The City of Hamilton and the Town of Stoney Creek are wholly included in the area over which the Hamilton Region Conservation Authority has jurisdiction.

(5) Notwithstanding section 12, the number of members <sup>Members</sup> appointed by the City of Hamilton shall, at all times, be equal to the total number of members appointed by the other participating municipalities. 1966, c. 22, s. 1, *amended*.

**6.**—(1) On and after the 1st day of January, 1969, the <sup>Grand River Conservation Authority continued</sup> Grand River Conservation Authority is continued as a conservation authority under this Act and has jurisdiction in all matters provided for in this Act over the area over which it had jurisdiction on the 31st day of December, 1968, as it may be altered under this Act.

(2) The municipalities that were participating municipalities of the Grand River Conservation Authority on the 31st day of December, 1968, shall continue to be participating <sup>Present participating municipalities</sup> municipalities with the representation on the Authority provided for by *The Grand River Conservation Authority Act*, 1966, c. 63 1966, until otherwise provided under subsection 1.

- (3) The Lieutenant Governor in Council may, <sup>Designation of participating municipalities and appointment of members</sup>
- (a) designate the municipalities that are the participating municipalities of the Grand River Conservation Authority and the area over which it has jurisdiction, and designate any group of municipalities that shall be considered as one municipality for the purpose of appointing a member or members to the Authority;
  - (b) provide for the appointment of the member or members to be appointed by a group of municipalities;
  - (c) notwithstanding section 12, appoint not more than eight members to the Authority for a term of three years.

(4) Each member of the Grand River Conservation Authority appointed by the Lieutenant Governor in Council shall hold office until the first meeting of the Grand River Conservation Authority after the term for which he was appointed has expired. *New.* <sup>Term of office of members appointed</sup>

**7.** Where the councils of any three municipalities situate <sup>Establishment of authority</sup> either wholly or partly within the area comprising two or more watersheds by resolution request the Minister to call a meeting for the establishment of an authority for such watersheds or any defined parts thereof, the provisions of sections 2 and 3 apply *mutatis mutandis*. R.S.O. 1960, c. 62, s. 5.

Meeting for  
enlargement  
of authority

**8.—(1) Where,**

- (a) an authority has been established for one or more watersheds; and
- (b) the council of a municipality by resolution requests the Minister to call a meeting to consider the enlargement of the area over which the authority has jurisdiction to include one or more watersheds,

the Minister shall fix a time and place for such a meeting and shall forthwith notify the secretary-treasurer of the authority and the council of every municipality situate either wholly or partly within the watershed or watersheds to be included. R.S.O. 1960, c. 62, s. 6 (1); 1962-63, c. 20, s. 3 (1), *amended*.

Represent-  
atives

- (2) With respect to each municipality so notified, subsection 2 of section 2 applies.

Quorum

- (3) At any meeting called under this section, a quorum consists of the number of members of the existing authority required to constitute a quorum of the authority and two-thirds of the representatives that the municipalities notified are entitled to appoint, but, where not fewer than two members of the authority and three municipal representatives are present at a meeting or an adjourned meeting, they may adjourn the meeting or adjourned meeting from time to time. R.S.O. 1960, c. 62, s. 6 (2, 3).

Enlarge-  
ment of  
authority

- (4) Upon receipt by the Minister of a joint resolution passed at a meeting or adjourned meeting held under subsection 3 and at which a quorum was present by not less than two-thirds of the members of the authority and not less than two-thirds of the municipal representatives thereat requesting the enlargement of the area over which the authority has jurisdiction to include one or more watersheds, the Lieutenant Governor in Council may enlarge the area accordingly and may designate the additional municipalities that are the participating municipalities and the area over which the enlarged authority has jurisdiction. R.S.O. 1960, c. 62, s. 6 (4); 1962-63, c. 20, s. 3 (2).

Amalgama-  
tion of  
authorities

**9.—(1) Where,**

- (a) two or more authorities have been established for two or more adjoining watersheds or parts thereof; and
- (b) one or more of such authorities by resolution requests the Minister to call a meeting to consider the

establishment



establishment of one authority to have jurisdiction over the areas then under the separate jurisdictions of such authorities,

the Minister shall fix a time and place for such meeting and shall forthwith notify the secretary-treasurer of each of the authorities concerned and the council of each municipality that is a participating municipality with respect to any of the authorities concerned.

(2) With respect to each municipality so notified, sub-<sup>Representatives</sup>section 2 of section 2 applies.

(3) At any meeting called under this section, a quorum<sup>Quorum</sup> consists of two-thirds of the representatives that the municipalities notified are entitled to appoint, but, where not fewer than three representatives are present at a meeting or adjourned meeting, they may adjourn the meeting or adjourned meeting from time to time.

(4) Upon receipt by the Minister of a resolution passed at<sup>Establishment of new authority</sup> a meeting or adjourned meeting held under subsection 3 and at which a quorum was present by not less than two-thirds of the representatives present thereat requesting the establishment of one authority for the watersheds or parts of watersheds concerned, the Lieutenant Governor in Council may establish an authority accordingly, dissolve the existing authorities, and designate the municipalities that are the participating municipalities and the area over which the new authority has jurisdiction.

(5) Upon the establishment of a new authority and the<sup>Assets and liabilities of former authorities</sup> dissolution of the existing authorities under subsection 4, all the assets and liabilities of the dissolved authorities vest in and become assets and liabilities of the new authority. R.S.O. 1960, c. 62, s. 7.

#### 10. Where,

- (a) an authority has been established and has under<sup>Enlargement of authority having jurisdiction in part of a watershed</sup> its jurisdiction part of a watershed; and
- (b) the council of a municipality, situate either wholly or partly within any defined part of the watershed not under the jurisdiction of the authority, by resolution requests the Minister to call a meeting to consider the enlargement of the area over which the authority has jurisdiction to include such defined part,

the



the Minister shall fix a time and place for such meeting and shall forthwith notify the secretary-treasurer of the authority and the council of every municipality either wholly or partly within such defined part, and the provisions of subsections 2, 3 and 4 of section 8 apply *mutatis mutandis*. R.S.O. 1960, c. 62, s. 8, *amended*.

Participating municipalities following annexation, etc.

**11.** Where a new municipality is erected or two or more municipalities are amalgamated or any area is annexed to a municipality and any part of the resulting municipality is within the area over which an authority has jurisdiction, such resulting municipality shall be deemed to have been designated a participating municipality by the Lieutenant Governor in Council. R.S.O. 1960, c. 62, s. 9; 1961-62, c. 16, s. 3.

Members of authority

**12.**—(1) Members of an authority shall be appointed by the respective councils of the participating municipalities in the numbers prescribed by subsection 2 of section 2 for the appointment of representatives, and each member shall hold office until the first meeting of the authority after the term for which he was appointed has expired. R.S.O. 1960, c. 62, s. 10 (1), *amended*.

Qualification

(2) Every member of an authority shall be resident in a participating municipality in which the authority has jurisdiction.

Term

(3) No member of an authority shall be appointed to hold office for more than three years at any one time. *New*.

Where part only of municipality under an authority

(4) Where part only of a municipality is situated in an area over which an authority has jurisdiction, the number of members appointed for the municipality shall be based on the population of that part only of the municipality, and such population shall be deemed to be the same proportion of the total population of the whole municipality as the number of acres in that part of the municipality is of the total acreage of the municipality. R.S.O. 1960, c. 62, s. 10 (2); 1961-62, c. 16, s. 4.

Members appointed by Lieutenant Governor in Council

(5) Where a grant is made to an authority under section 38, the Lieutenant Governor in Council may appoint not more than three members of the authority for a term of three years, and each such member shall hold office for the term for which he was appointed and until his successor is appointed. R.S.O. 1960, c. 62 s. 10 (3), *amended*.

Meetings

**13.**—(1) The first meeting of an authority shall be held at such time and place as is determined by the Minister and, in each year thereafter, the authority shall hold at least one

meeting

meeting before the 1st day of March and at least one meeting after the 1st day of July and such other meetings as it deems necessary to effectively conduct the affairs of the authority. R.S.O. 1960, c. 62, s. 10 (4), *amended*.

(2) Within fifteen days after any meeting of an authority or of an executive committee, the secretary-treasurer of the authority shall send a copy of the minutes of the meeting to each member of the authority. *New*. <sup>Copies of minutes to members</sup>

**14.**—(1) Each member of an authority is entitled to one vote, and, in the event of a tie vote, the chairman has a second or deciding vote. R.S.O. 1960, c. 62, s. 11 (1). <sup>Votes</sup>

(2) At any meeting of an authority, a quorum consists of one-third of the members appointed by the participating municipalities, except where there are fewer than six such members, in which case two such members constitute a quorum. R.S.O. 1960, c. 62, s. 11 (2), *amended*. <sup>Quorum</sup>

(3) A majority vote of the members present at any meeting is required upon all matters coming before the meeting. R.S.O. 1960, c. 62, s. 11 (3). <sup>Majority vote</sup>

**15.**—(1) At the first meeting of an authority and thereafter at the first meeting held in each year, the authority shall appoint a chairman and one or more vice-chairmen from among the members of the authority, but, where a grant is made to an authority under section 38, the Lieutenant Governor in Council may appoint the chairman from among the members of the authority. R.S.O. 1960, c. 62, s. 12 (1); 1961-62, c. 16, s. 5, *amended*. <sup>Chairman, vice-chairmen</sup>

(2) Subject to subsection 1, upon the death of the chairman or a vice-chairman, or upon the incapacity of the chairman or a vice-chairman to act, or upon the chairman or a vice-chairman ceasing to be a member of the authority, the remaining members may appoint a member to fill such vacancy. <sup>Death of chairman or vice-chairman</sup>

(3) In the event of the absence of the chairman and the vice-chairmen from any meeting of an authority, the members present shall appoint an acting chairman who, for the purposes of such meeting, has all the powers and shall perform all the duties of the chairman. R.S.O. 1960, c. 62, s. 12 (2, 3), *amended*. <sup>Absence of chairman and vice-chairmen</sup>

**16.**—(1) An authority shall appoint a secretary-treasurer and may appoint such other employees as it deems necessary who shall hold office during the pleasure of the authority <sup>Appointment of employees</sup>

and

and shall receive such salary or other remuneration as the authority determines, payable out of the funds of the authority. R.S.O. 1960, c. 62, s. 13 (1); 1961-62, c. 16, s. 6, *amended*.

Advisory  
boards

(2) An authority may appoint one or more advisory boards. R.S.O. 1960, c. 62, s. 13 (2).

Executive  
committee

**17.**—(1) The authority may appoint an executive committee from among the members of the authority. R.S.O. 1960, c. 62, s. 14 (1).

Chairman,  
vice-  
chairmen

(2) The chairman and vice-chairmen of the authority shall be the chairman and vice-chairmen of the executive committee. *New*.

Appoint-  
ment by  
Lieutenant  
Governor in  
Council

(3) Where a grant is made to an authority under section 38, the Lieutenant Governor in Council may appoint a member of the authority to the executive committee. R.S.O. 1960, c. 62, s. 14 (3), *amended*.

Objects

**18.** The objects of an authority are to establish and undertake, in the area over which it has jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals. R.S.O. 1960, c. 62, s. 15, *amended*.

Powers of  
authorities

**19.** For the purposes of accomplishing its objects, an authority has power,

(a) to study and investigate the watershed and to determine a program whereby the natural resources of the watershed may be conserved, restored, developed and managed; R.S.O. 1960, c. 62, s. 17, cl. a, *part, amended*.

(b) for any purpose necessary to any project under consideration or undertaken by the authority, to enter into and upon any land and survey and take levels of it and make such borings or sink such trial pits as the authority deems necessary; R.S.O. 1960, c. 62, s. 22 (1), *part, amended*.

(c) to acquire by purchase, lease or otherwise and to expropriate any land that it may require, and, subject to the approval of the Lieutenant Governor in Council, to sell, lease or otherwise dispose of land so acquired; R.S.O. 1960, c. 62, s. 17, cl. c, *amended*.

(d)

- (d) to lease for a term of one year or less, without the approval of the Lieutenant Governor in Council, land acquired by the authority; *New.*
- (e) where the executive committee of the authority is of opinion that the authority can obtain the whole of any lot or parcel of land of which any part may be expropriated by it at a more reasonable price or to greater advantage than by acquiring such part only, to expropriate the whole of such lot or parcel and to sell and convey any part thereof as it deems expedient; R.S.O. 1960, c. 62, s. 23, *amended.*
- (f) to purchase or acquire any personal property that it may require and sell or otherwise deal therewith;
- (g) to enter into such agreements for the purchase of materials, employment of labour and such other purposes as may be necessary for the due carrying out of any project;
- (h) to enter into agreements with owners of private lands to facilitate the due carrying out of any project;
- (i) to determine the proportion of the total benefit afforded to all the participating municipalities that is afforded to each of them; R.S.O. 1960, c. 62, s. 17, cls. d-g, *amended.*
- (j) to erect works and structures and create reservoirs by the construction of dams or otherwise; R.S.O. 1960, c. 62, s. 17, cl. c, *amended.*
- (k) to control the flow of surface waters in order to prevent floods or pollution or to reduce the adverse effects thereof; R.S.O. 1960, c. 62, s. 17, cl. a, *part, amended.*
- (l) to alter the course of any river, canal, brook, stream or watercourse, and divert or alter, as well temporarily as permanently, the course of any river, stream, road, street or way, or raise or sink its level in order to carry it over or under, on the level of or by the side of any work built or to be built by the authority, and to divert or alter the position of any water-pipe, gas-pipe, sewer, drain or any telegraph, telephone or electric wire or pole; R.S.O. 1960, c. 62, s. 22 (1), *part, amended.*

(m)



- (*m*) to use lands that are owned or controlled by the authority for such purposes, not inconsistent with its objects, as it deems proper;
- (*n*) to use lands owned or controlled by the authority for park or other recreational purposes, and to erect, or permit to be erected, buildings, booths and facilities for such purposes and to make charges for admission thereto and the use thereof;
- (*o*) to collaborate and enter into agreements with departments and agencies of government, municipal councils and local boards and other organizations;
- (*p*) to plant and produce trees on Crown lands with the consent of the Minister of Lands and Forests, and on other lands with the consent of the owner, for any purpose;
- (*q*) to cause research to be done;
- (*r*) generally to do all such acts as are necessary for the due carrying out of any project. R.S.O. 1960, c. 62, s. 17, cls. *h-m*, *amended*.

Access  
roads

**20.** An authority and any municipality may enter into agreement for the construction or maintenance of a road or the reconstruction or maintenance of an existing road under the jurisdiction of the municipality for the purpose of providing access to lands of the authority used or to be used for park or recreational purposes. R.S.O. 1960, c. 62, s. 18 (1).

Water  
control  
structures,  
authority  
of Minister  
to operate

**21.** Notwithstanding any powers conferred upon an authority by this Act, the Minister or his representative may, when and for such periods as he deems necessary in the public interest, issue instructions for or take over the operation of all water control structures of an authority. *New*.

Approval  
of project

**22.—(1)** Before proceeding with a project, the authority shall file plans and a description thereof with and obtain the approval in writing of the Minister, and, where any portion of the cost of a project is to be raised in a subsequent year or years, shall also obtain the approval of the Ontario Municipal Board. R.S.O. 1960, c. 62, s. 16, *amended*.

Notice re  
raising of  
portion  
of cost

**(2)** When the statement of apportionment of the cost of any project requires a municipality to raise any portion of the cost in a subsequent year or years, the council shall, within thirty days after it receives the notice of apportion-

ment



ment, notify the authority in writing whether such portion of the cost will be provided by the issue of debentures or raised by taxation in the subsequent year or years. *New.*

(3) When a municipal council has, in accordance with subsection 2 of section 23, notified the secretary of the Ontario Municipal Board that it is dissatisfied with any such apportionment, the time allowed for notifying the authority under subsection 2 shall be reckoned from the date of the order confirming or varying the apportionment. *New.*

Time for notice where apportionment under review

(4) Where any municipality is required to obtain the approval of the Ontario Municipal Board with respect to the raising of moneys in connection with any project of the authority, the application of the authority under subsection 1 shall be considered an application for such approval on behalf of the municipality. *New.*

Application for approval on behalf of municipality

(5) Notwithstanding *The Lakes and Rivers Improvement Act*, a project for the construction of dams or other works on a lake or river that has been approved under this section does not require approval under that Act. *New.*

Approval under R.S.O. 1960, c. 203

**23.**—(1) When an authority has determined the proportion of the total benefit of any project afforded to all the participating municipalities that is afforded to each of them, it shall cause a notice containing a statement of such apportionment to be sent to the council of each participating municipality by registered mail.

Notice of apportionment

(2) Any municipal council that is dissatisfied with any such apportionment may, within thirty days after it receives notice of the apportionment, notify the secretary of the Ontario Municipal Board and the authority in writing by registered mail that it applies for a review of the apportionment by the Ontario Municipal Board.

Review of apportionment by O.M.B.

(3) Upon such application, the Ontario Municipal Board shall fix a date for the hearing of all interested parties and shall give all necessary directions for the hearing.

Hearing

(4) The Ontario Municipal Board has authority to take evidence, to confirm or vary the apportionment of the authority and to fix and award costs, and its decision is final and conclusive and is not open to appeal.

Powers of O.M.B. on hearing

(5) In the event of the authority varying any apportionment made by it, the provisions of this section apply *mutatis mutandis*. R.S.O. 1960, c. 62, s. 19, *amended*.

Variation of apportionment

Determina-  
tion of  
capital  
expenditure

**24.**—(1) An authority may, from time to time, determine what moneys will be required for capital expenditure in connection with any project.

Portion  
to be raised  
by partici-  
pating  
municipi-  
palities

(2) The portion of the moneys so required that each participating municipality shall raise shall be in the same proportion as the benefit derived by each such municipality bears to the total benefit derived by all participating municipalities.

How money  
to be raised

(3) Upon notice in writing of the amount required to be raised, signed by the secretary-treasurer of the authority, each participating municipality shall raise by the issue of debentures or otherwise such moneys as may be required by the authority for capital expenditure, subject only to such conditions as the Ontario Municipal Board may impose as to the time and manner of the raising of such moneys.

Enforce-  
ment of  
payment

(4) Subject to subsection 3, an authority may enforce payment against any participating municipality of the portion of the capital cost required to be raised by the municipality as a debt due by the municipality to the authority.

Where only  
part of  
municipi-  
pality  
in area

(5) Where only a part of a participating municipality is situated in the area over which the authority has jurisdiction, the portion of the moneys required to be raised by that municipality for capital expenditure may be charged only against the rateable property in that part of the municipality. R.S.O. 1960, c. 62, s. 38 (1-5), *amended*.

Limited  
benefit

(6) Where the council of a participating municipality is of opinion that the major part of the benefit to be derived from a specific work accrues to a limited area of the municipality, the council, with the approval of the Minister, may by by-law provide that a specified portion of the moneys required to be raised by that municipality for capital expenditure in connection with that work shall be defrayed by a special rate upon the rateable property in that area, which area shall be defined in the by-law, and that the balance of such moneys shall be defrayed by a special rate upon the rateable property in the remaining portion of the municipality within the area over which the authority has jurisdiction. R.S.O. 1960, c. 62, s. 38 (6); 1961-62, c. 16, s. 15.

Interpre-  
tation

**25.**—(1) In subsection 3, “equalized assessment” means the assessment upon which taxes are levied in the year preceding the year in which the proportion will be payable as adjusted by the application of the equalization factor based on such assessment provided by the Department of Municipal Affairs.

(2) After determining the approximate maintenance costs for the succeeding year, the authority shall apportion such costs to the participating municipalities according to the benefit derived or to be derived by each such municipality, and the amount apportioned to each municipality shall be levied against each such municipality.

Apportionment of maintenance costs

(3) After determining the approximate administration costs for the succeeding year, the authority shall apportion such costs to the participating municipalities in the proportion that the equalized assessment of the municipality or part bears to the equalized assessment of the whole area under the jurisdiction of the authority, and the amount apportioned to each municipality shall be levied against each such municipality.

Apportionment of administration costs

(4) An authority may establish a minimum sum that may be levied for administration costs by the authority against a participating municipality, and, where the amount apportioned to any municipality under subsection 3 is less than such minimum sum, the authority may levy the minimum sum against such municipality.

Minimum levy for administration costs

(5) The secretary-treasurer of the authority, forthwith after the amounts have been apportioned under subsections 2, 3 and 4, shall certify to the clerk of each participating municipality the total amount that has been levied under such subsections, and such amount shall be collected by the municipality in the same manner as municipal taxes for general purposes.

Notice of apportionment

(6) Where only a part of a participating municipality is situated in the area over which the authority has jurisdiction, the amount apportioned to that municipality may be charged only against the rateable property in that part of the municipality and shall be collected in the same manner as municipal taxes for general purposes.

Levy where only part of municipality in area

(7) An authority may enforce payment against any participating municipality of any portion of the maintenance costs or administration costs levied against such municipality as a debt due by such municipality to the authority.

Enforcement of payment

R.S.O. 1960, c. 62, s. 39, *amended*.

**26.**—(1) Subject to the approval of the Lieutenant Governor in Council, an authority may make regulations applicable in the area under its jurisdiction,

Regulations by authority

(a)

- (a) restricting and regulating the use of water in or from rivers, streams, inland lakes, ponds, swamps and natural or artificially constructed depressions in rivers or streams;
- (b) restricting and regulating the straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse;
- (c) regulating the location of ponds used as a source of water for irrigation;
- (d) providing for the appointment of officers to enforce any regulation made under this section;
- (e) prohibiting or regulating the construction of any building or structure in or on a pond or swamp or in any area below the high-water mark of a lake, river, creek or stream;
- (f) prohibiting or regulating the placing or dumping of fill of any kind in any defined part of the area over which the authority has jurisdiction in which in the opinion of the authority the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.S.O. 1960, c. 62, s. 20 (1); 1961-62, c. 16, s. 9; 1962-63, c. 20, s. 4 (1), *amended*.

## Exceptions

## (2) No regulation made under this section,

- (a) shall limit the use of water for domestic or live stock purposes;
- (b) shall interfere with any rights or powers conferred upon a municipality;
- (c) shall interfere with any rights or powers of The Hydro-Electric Power Commission of Ontario or of any board or commission that is performing its functions for or on behalf of the Government of Ontario; or
- (d) shall interfere with any rights or powers under *The Public Utilities Act*. R.S.O. 1960, c. 62, s. 20 (2), *amended*.

R.S.O. 1960,  
c. 335



(3) Every person who contravenes any regulation made under this section is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000 or to a term of imprisonment of not more than three months. R.S.O. 1960, c. 62, s. 20 (3).

(4) In addition to any other remedy or penalty provided by law, the magistrate, upon making a conviction under subsection 3 for constructing a building or structure or placing or dumping fill in contravention of any regulation made under this section, may order the person convicted to remove any such building, structure or fill within such time as the magistrate orders, and, if such person fails to comply with such order, the authority having jurisdiction in the area in which such building, structure or fill is situated may cause the building, structure or fill to be removed, and the cost thereof shall be borne and paid by the person convicted and is recoverable by the authority by action in a court of competent jurisdiction. 1962-63, c. 20, s. 4 (2).

**27.—**(1) Subject to the approval of the Lieutenant Governor in Council, an authority may make regulations applicable to lands owned by the authority,

- (a) regulating and governing the use by the public of the lands and the works, vehicles, boats, services and things of the authority;
- (b) providing for the protection and preservation from damage of the property of the authority;
- (c) prescribing fees for the occupation and use of lands and works, vehicles, boats, recreational facilities and services;
- (d) prescribing permits designating privileges in connection with use of the lands or any part thereof and prescribing fees for such permits;
- (e) regulating and governing vehicular and pedestrian traffic and prohibiting the use of any class of vehicle or classes of vehicles;
- (f) prohibiting or regulating and governing the erection, posting up or other display of notices, signs, sign boards and other advertising devices;
- (g) prescribing terms and conditions under which horses, dogs and other animals may be allowed on the lands or any part thereof;

(h)



R.S.O. 1960,  
c. 152

- (h) subject to *The Forest Fires Prevention Act* and the regulations made thereunder, prohibiting or regulating and governing the use, setting and extinguishment of fires.

Offences

(2) Every person who contravenes any regulation made under this section is guilty of an offence and on summary conviction is liable to a fine of not more than \$100. 1960-61, c. 10, s. 1, *amended*.

Regulations

**28.** Subject to the approval of the Minister, an authority shall make regulations,

- (a) providing for the calling of meetings of the authority and prescribing the procedure at such meetings;
- (b) prescribing the powers and duties of the secretary-treasurer;
- (c) designating and empowering officers to sign contracts, agreements and other documents on behalf of the authority;
- (d) delegating all or any of its powers to the executive committee except,
  - (i) the termination of the services of the secretary-treasurer,
  - (ii) the power to raise money, and
  - (iii) the power to enter into contracts or agreements other than such contracts or agreements as are necessarily incidental to the works approved by the authority. R.S.O. 1960, c. 62, s. 21; 1961-62, c. 16, s. 10; 1962-63, c. 20, s. 5, *amended*.

Time for  
making  
regulations

(2) Every authority shall make regulations under subsection 1 within one year after its establishment or, where an authority heretofore established has not made such regulations, it shall make them within one year after this section comes into force. *New*.

Application  
of 1962-63,  
c. 43

**29.** *The Expropriation Procedures Act, 1962-63* applies where land is expropriated by an authority or where land is injuriously affected by an authority in the exercise of its statutory powers. *New*.

Affecting  
Crown land

**30.**—(1) Where any land required for the carrying out of a project or a part thereof is Crown land a plan and description of the land prepared and signed by an Ontario

land surveyor and signed by the chairman or vice-chairman of the authority shall be deposited with the Minister of Lands and Forests, and the project or the part thereof shall not be proceeded with until the authority has received the approval in writing of the Minister of Lands and Forests. R.S.O. 1960, c. 62, s. 34 (1); 1961-62, c. 16, s. 23, *amended*.

(2) Where a project or a part thereof may interfere with a public work of Ontario or of The Hydro-Electric Power Commission of Ontario, the authority shall file with the Minister of Public Works or with the Commission, as the case may be, a plan and description of the project or a part thereof together with a statement of the interference with the public work that may occur and a statement of the manner in which the authority proposes to remedy the interference, and the project or the part thereof shall not be proceeded with until the authority has received the approval in writing of the Minister of Public Works or of the Commission, as the case may be. <sup>Interference with public work</sup>

(3) Where a project or a part thereof will interfere with a public road or highway, the authority shall file with the Minister of Highways a plan and description of the project or a part thereof together with a statement of the interference with the public road or highway that will occur and a statement of the manner in which the authority proposes to remedy the interference, and the project or the part thereof shall not be proceeded with until the authority has received the approval in writing of the Minister of Highways. <sup>Interference with highway</sup>

(4) The cost of rebuilding any road, highway, bridge, public work or work of The Hydro-Electric Power Commission of Ontario or any part thereof and the cost of any other work that any of the Ministers of the Crown or the Commission may require to be done under this section shall be borne by the authority, except where an agreement providing for payment thereof in some other manner has been entered into with the Crown in right of Ontario or the Commission, as the case may be. R.S.O. 1960, c. 62, s. 34 (2-4), *amended*. <sup>Costs, how to be borne</sup>

**31.**—(1) Land vested in an authority, except works erected by an authority for the purposes of a project, is taxable for municipal purposes by levy under subsection 3 of section 294 of *The Municipal Act* upon the assessment of such land determined in each year by the Department of Municipal Affairs based on the assessed value of the land at the actual value thereof in accordance with section 35 of *The Assessment Act* as if the works erected by the authority on such land had not been erected. R.S.O. 1960, c. 62, s. 35 (1, 2), *amended*. <sup>Assessment of lands of authority</sup> <sup>R.S.O. 1960, cc. 249, 23</sup>

Assessment  
of rented  
property  
R.S.O. 1960,  
c. 23

(2) Notwithstanding subsection 1, section 34 of *The Assessment Act* applies *mutatis mutandis* in respect of lands vested in an authority. 1962-63, c. 20, s. 7, *amended*.

Valuation  
notice

(3) The Department of Municipal Affairs shall, on completion of the valuation of such land, deliver or mail to each authority concerned and to the clerk and assessor of each municipality in which any of such land is situate a notice setting out the valuation of such land in the municipality.

Appeal

(4) Any such municipality or the authority may appeal to the Ontario Municipal Board against the valuation of the land in the municipality.

Notice of  
appeal

(5) A notice of appeal to the Ontario Municipal Board under subsection 4 shall be sent by the party appealing, by registered mail, to the secretary of the Board within twenty-one days after the notice of valuation has been delivered or mailed under subsection 3.

Hearing

(6) Upon receipt of a notice of appeal, the secretary of the Board shall arrange a time and place for hearing the appeal and shall send notice thereof to all parties concerned in the appeal at least fourteen days before the hearing.

Jurisdiction  
on appeal

(7) The Ontario Municipal Board upon appeal shall determine the amount at which the land in question shall be valued, and the decision of the Board is final and binding.

First  
assessment

(8) The assessment of land under subsection 1 shall be determined by the Department of Municipal Affairs in the year 1968 for the purpose of taxation in the year 1969 and in each year thereafter for the purpose of taxation in the following year.

Assessment  
deemed to  
be made by  
municipal  
assessor

(9) The assessment of land determined under subsection 1 shall for all purposes, except for appeals against the valuation of land, be deemed to have been determined by the assessor of the municipality in which the land is situate. *New*.

Cemetery  
lands

**32.**—(1) Where the carrying out of a project will require the use of a cemetery or other place of interment of human remains, the authority shall acquire other suitable lands for the interment of the bodies contained in the cemetery or other place of interment.

Notice  
to plot  
owners

(2) The authority shall forward a notice to the owner of each lot in the cemetery or other place of interment, but, if the owner or his whereabouts is unknown, the notice shall, wherever possible, be forwarded to some other person having an interest in the plot through relationship or otherwise to a deceased person buried therein.

(3) The authority shall also cause a notice to be published <sup>Publication of notice</sup> once a week for at least three weeks in a newspaper having general circulation in the locality where the cemetery or other place of interment is located, which notice shall state,

- (a) that the cemetery or other place of interment has been acquired for the purposes of the authority;
- (b) that other land, describing it, has been acquired by the authority for the purpose of re-interring the bodies;
- (c) that the authority will at its own expense proceed to remove the bodies from the cemetery or other place of interment to the lands acquired for re-interment at a time not less than one month after the forwarding or third publication of the notice, whichever is the later date; and
- (d) that the owner of any plot in the cemetery or other place of interment, or any other person with the approval of the authority, may cause any body interred in the cemetery or other place of interment to be removed to any other place of interment at his own expense if he obtains permission from the authority and effects the removal within one month from the forwarding or insertion of the notice, whichever is the later date, or before such later date as the authority determines.

(4) The authority has full power to cause the removal <sup>Authority to remove bodies</sup> of any body from any such cemetery or place of interment to any lands acquired under subsection 1 notwithstanding any other Act and to authorize the removal by any other person of any such body for re-interment in any other cemetery or place of interment.

(5) Where a body is removed and re-interred, any head- <sup>Removal of headstones</sup> stone or other stone shall be removed and re-erected at the place of re-interment.

(6) The authority shall render land, including fences and buildings, acquired for the re-interment of bodies, in a fit and proper condition and shall convey the land to the owner of the cemetery or other place of interment from which the bodies were removed. R.S.O. 1960, c. 62, s. 36. <sup>Conveyance of lands for re-interment</sup>

**33.**—(1) Subject to the right of an authority to use any <sup>Use of water power</sup> water power created upon lands vested in it for its own uses, which does not include the marketing or sale of power, The Hydro-Electric Power Commission of Ontario has the sole right to use such water power, but The Hydro-Electric Power



Commission of Ontario may consent to the use of any such water power by any person on such terms and conditions as are satisfactory to it and to the authority.

Compensation for water power

(2) The Hydro-Electric Power Commission of Ontario shall pay to the authority an annual, reasonable compensation for the use of any such water power used by the Commission. R.S.O. 1960, c. 62, s. 37 (1, 2).

Determination of compensation

(3) Where the authority and The Hydro-Electric Power Commission of Ontario are unable to agree upon the amount of compensation payable, the amount shall be determined by a committee of three members comprising a person appointed by the Minister, the chief engineer of the Commission and an engineer to be agreed upon by both of them, or, in the event that they are unable to agree, appointed by the Lieutenant Governor in Council, and the engineer so agreed upon or appointed shall act as chairman of the committee, and there is no appeal from the committee, but, after ten annual payments of compensation, the amount of compensation shall be redetermined by a like committee at the request of either the authority or the Commission. R.S.O. 1960, c. 62, s. 37 (3); 1961-62, c. 16, s. 14.

Charge for additional power

(4) Subject to review by The Hydro-Electric Power Commission of Ontario, an authority shall charge persons who at the time of the establishment of the authority are, or thereafter become, users of power derived by them from the use of the waters of the watershed for any additional power, generated from increased head or flow due to the works undertaken by the authority.

When section not to apply  
R.S.O. 1960, c. 324

(5) This section does not apply to water power reserved to the Crown under *The Public Lands Act*. R.S.O. 1960, c. 62, s. 37 (4, 5).

Assent of electors not necessary

**34.** Where by this Act any power is conferred or duty imposed upon a municipality, or the council of a municipality, including a power or duty to raise money, such power may be exercised and such duty shall be performed by the council of the municipality without the assent of the electors. R.S.O. 1960, c. 62, s. 40.

Contracts by members with authority voidable

**35.**—(1) If a member of an authority in his own name or in that of another and alone or jointly with another enters into a contract with or makes a purchase from or sale to the authority, the contract, purchase or sale as against the authority is voidable at the instance of the authority or the council of a municipality that is assessed for a portion of the cost of a project in respect of which the contract, purchase or sale was made.



(2) Subsection 1 does not apply to a contract in relation <sup>Application of subs. 1</sup> to the participation of a member in a program of the authority for the assistance of conservation on private lands in like manner and subject to the like conditions as are applicable in the case of persons who are not members of the authority.  
*New.*

**36.** All moneys required by this Act to be raised for the <sup>Moneys to be paid to authority</sup> purposes of an authority shall be paid to the authority, and the authority may spend such moneys as it deems proper, except that no salary, expenses or allowances of any kind shall be paid to any of the members of the authority without the approval of the Ontario Municipal Board. R.S.O. 1960, c. 62, s. 41.

**37.**—(1) Every authority shall cause its accounts and <sup>Annual audit</sup> transactions to be audited annually by a person licensed under *The Public Accountancy Act*. R.S.O. 1960, c. 317

(2) No person shall be appointed as auditor of an authority <sup>Auditor</sup> who is or during the preceding year was a member of the authority or who has or during the preceding year had any direct or indirect interest in any contract or any employment with the authority other than for services within his professional capacity.

(3) An authority shall, upon receipt of the auditor's report <sup>Auditor's report</sup> of his examination of its accounts and transactions, forthwith forward a copy of the report to each participating municipality and to the Minister. 1961-62, c. 16, s. 16.

**38.** Grants may be made by the Minister to any authority <sup>Grants</sup> out of moneys appropriated therefor by the Legislature in accordance with such conditions and procedures as may be prescribed by the Lieutenant Governor in Council. R.S.O. 1960, c. 62, s. 42; 1961-62, c. 16, s. 17, *amended*.

**39.** Every regulation made under *The Conservation Authorities Act* or a predecessor of that Act that is in force immediately before this Act comes into force remains in force, <sup>Regulations continued</sup> in so far as it is not inconsistent with this Act, until it is <sup>R.S.O. 1960, c. 62</sup> revoked, amended or replaced and shall be deemed to have been made under this Act.

**40.**—(1) *The Conservation Authorities Act, The Conservation Authorities Amendment Act, 1960-61, The Conservation Authorities Amendment Act, 1961-62, The Conservation Authorities Amendment Act, 1962-63 and The Conservation Authorities Amendment Act, 1966* are repealed. <sup>R.S.O. 1960, c. 62; 1960-61, c. 10; 1961-62, c. 16; 1962-63, c. 20; 1966, c. 22, repealed</sup>

1938, c. 15;  
1954, c. 33;  
1962-63,  
c. 54;  
1966, c. 63,  
repealed

(2) On the 1st day of January, 1969, *The Grand River Conservation Act, 1938*, *The Grand River Conservation Amendment Act, 1954*, *The Grand River Conservation Amendment Act, 1962-63* and *The Grand River Conservation Authority Act, 1966* are repealed.

Commence-  
ment

**41.** This Act comes into force on the day it receives Royal Assent.

Short title

**42.** This Act may be cited as *The Conservation Authorities Act, 1968*.

## CHAPTER 16

**An Act to repeal  
The Consolidated Cheese Factories Act**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** *The Consolidated Cheese Factories Act* is repealed. R.S.O. 1960,  
c. 63,  
repealed
- 2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment
- 3.** This Act may be cited as *The Consolidated Cheese Factories Repeal Act, 1968*. Short title



## CHAPTER 17

## An Act to amend The Consumer Protection Act, 1966

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *h* of section 1 of *The Consumer Protection Act, 1966*, <sup>c. 23, s. 1, cl. *h*, amended</sup> is amended by striking out "a contract for the sale of goods or services in which credit is extended" in the fourth and fifth lines and inserting in lieu thereof "an executory contract for the sale of goods or services", so that the clause shall read as follows:

(*h*) "itinerant seller" means a seller whose business includes soliciting, negotiating or arranging for the signing by a buyer, at a place other than the seller's permanent place of business, of an executory contract for the sale of goods or services, whether personally or by his agent or employee.

2.—(1) Clause *c* of subsection 1 of section 16 of *The Consumer Protection Act, 1966* is amended by inserting after <sup>c. 23, s. 16, subs. 1, cl. *c*, amended</sup> "the" where it occurs the first time in the first line "itemized", so that the clause shall read as follows:

(*c*) the itemized price of the goods or services and a detailed statement of the terms of payment.

(2) The said section 16 is amended by adding thereto the following subsection: <sup>1966, c. 23, s. 16, amended</sup>

(3) Where the amount to be paid by a buyer under an executory contract is determined after an allowance for a trade-in and is stated in the contract to be subject to adjustment after the existence or amount of liens against the trade-in is ascertained or confirmed, the statement of the terms of payment and the statement of the cost of credit shall be based upon the amount as determined upon the information

provided



provided by the buyer but, upon any subsequent adjustment, the percentage rate by which the cost of borrowing is expressed, the total number of instalments required to pay the total indebtedness or the price shown in the contract shall not be changed.

1966,  
c. 23, s. 18,  
subs. 1,  
amended

**3.**—(1) Subsection 1 of section 18 of *The Consumer Protection Act, 1966* is amended by striking out “and under which credit is extended” in the third and fourth lines, so that the subsection shall read as follows:

Rescission  
of certain  
executory  
contracts  
within  
two days

- (1) Where a seller solicits, negotiates or arranges for the signing by a buyer of an executory contract at a place other than the seller's permanent place of business, the buyer may rescind the contract by delivering a notice of rescission in writing to the seller within two days after the duplicate original copy of the contract first comes into the possession of the buyer, and the buyer is not liable for any damages in respect of such rescission.

1966,  
c. 23, s. 18,  
subs. 2,  
cl. a,  
re-enacted

(2) Clause *a* of subsection 2 of the said section 18 is repealed and the following substituted therefor:

- (a) the buyer shall immediately return any goods received under the contract and the seller shall bear the expense of the return, not exceeding the expense of returning the goods from the place where the buyer received their delivery; and

. . . . .

1966,  
c. 23, s. 32,  
subs. 4  
(1967,  
c. 13, s. 5),  
re-enacted

**4.** Subsection 4 of section 32 of *The Consumer Protection Act, 1966*, as enacted by section 5 of *The Consumer Protection Amendment Act, 1967*, is repealed and the following substituted therefor:

Deviations  
from forms

- (4) For the purposes of this section, an error or omission in any form prescribed or information required to be given by this Act or the regulations shall not be deemed to be in contravention of this Act or the regulations where the person against whom the contravention is alleged proves that the error or omission is a *bona fide* accidental or clerical error or omission or beyond his control.

1966, c. 23,  
amended

**5.** *The Consumer Protection Act, 1966* is amended by adding thereto the following section:

Protection  
from  
personal  
liability

- 32a.** No action or other proceeding for damages shall be instituted against the Director or the Registrar or any person acting under his authority for any act

done in good faith in the execution or intended execution of his duty under this or any other Act or for any alleged neglect or default in the execution in good faith of any such duty.

**6.**—(1) This Act, except section 1 and subsection 1 of <sup>Commence-</sup>section 3, comes into force on the day it receives Royal Assent.

(2) Section 1 and subsection 1 of section 3 come into force <sup>Idem</sup> on the 1st day of October, 1968.

**7.** This Act may be cited as *The Consumer Protection* <sup>Short title</sup> *Amendment Act, 1968*.



## CHAPTER 18

## An Act to amend The Coroners Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 36 of *The Coroners Act* is repealed. R.S.O. 1960,  
c. 69, s. 36,  
repealed
2. Subsections 2 and 3 of section 37 of *The Coroners Act* are repealed and the following substituted therefor: R.S.O. 1960,  
c. 69, s. 37,  
subss. 2, 3,  
re-enacted
  - (2) Where a coroner is appointed on a full-time basis, <sup>Idem</sup> the order in council appointing him may provide for payment of a salary in lieu of fees.
  - (3) Crown attorneys' fees and expenses for attending <sup>Crown attorneys</sup> inquests shall be those prescribed under *The Administration of Justice Act, 1968*, c. 1 <sup>1968, c. 1</sup>
  - (3a) Constables' fees and mileage allowances for services <sup>Constables</sup> rendered in connection with an inquest shall be those prescribed under *The Administration of Justice Act, 1968*.
3. Section 38, as amended by section 12 of *The Coroners Amendment Act, 1960-61*, and sections 39 and 40 of *The Coroners Act* are repealed and the following substituted therefor: R.S.O. 1960,  
c. 69, s. 38,  
re-enacted;  
ss. 39, 40,  
repealed
  38. The fees and expenses prescribed by the Schedules <sup>Payment of fees and expenses</sup> shall be paid out of the moneys appropriated there- for by the Legislature.
4. This Act shall be deemed to have come into force on <sup>Commence- ment</sup> the 1st day of January, 1968.
5. This Act may be cited as *The Coroners Amendment Act, 1968*. Short title





## CHAPTER 19

## An Act to amend The Corporations Act

*Assented to, except sections 12 and 13, July 23rd, 1968*

*Sections 12 and 13 assented to June 13th, 1968*

*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *e* of subsection 1 of section 71 of *The Corporations Act*, as re-enacted by section 3 of *The Corporations Amendment Act, 1966*, is amended by striking out "or" at the end of subclause i, by adding "or" at the end of subclause ii, and by adding thereto the following clause:

R.S.O. 1960,  
c. 71, s. 71  
(1966,  
c. 28, s. 3),  
cl. *e*,  
amended

- (iii) any person who exercises control or direction over the equity shares of a company carrying more than 10 per cent of the voting rights attached to all equity shares of the company for the time being outstanding.

**2.—(1)** Section 71*a* of *The Corporations Act*, as enacted by section 3 of *The Corporations Amendment Act, 1966*, is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 71,  
s. 71*a*  
(1966,  
c. 28, s. 3),  
amended

- (1*a*) A person who is an insider of a company under subclause iii of clause *e* of subsection 1 of section 71 shall, within ten days after the end of the month in which this subsection comes into force, file with the Commission a report, as of such day, of the control or direction he exercises over the capital securities of the company.

Report of  
control or  
direction

(2) Subsections 2, 3 and 4 of the said section 71*a* are repealed and the following substituted therefor:

R.S.O. 1960,  
c. 71,  
s. 71*a*  
(1966,  
c. 28, s. 3),  
subss. 2-4,  
re-enacted

- (2) A person who becomes an insider of a company shall, within ten days after the end of the month in which he becomes an insider, file with the Commission a report, as of the day on which he became an insider, of his direct or indirect beneficial ownership of or control or direction over capital securities of the company.

Report

Idem

- (3) If a person who is an insider of a company, but has no direct or indirect beneficial ownership of or control or direction over capital securities of the company, acquires direct or indirect beneficial ownership of or control or direction over any such securities, he shall, within ten days after the end of the month in which he acquired such direct or indirect beneficial ownership or such control or direction, file with the Commission a report, as of the date of such acquisition, of his direct or indirect beneficial ownership of or control or direction over capital securities of the company.

Report of subsequent changes

- (4) A person who has filed or is required to file a report under subsection 1, 1a, 2 or 3 and whose direct or indirect beneficial ownership of or control or direction over capital securities of the company changes from that shown or required to be shown in such report or in the last report filed by him under this subsection shall, within ten days following the end of the month in which such change takes place, provided that he was an insider of the company at any time during such month, file with the Commission a report of his direct or indirect beneficial ownership of or his control or direction over capital securities of the company at the end of such month and the change or changes therein that occurred during the month, and giving such details of each transaction as may be required by the regulations made under section 71f.

R.S.O. 1960, c. 71, amended

**3.** *The Corporations Act* is amended by adding thereto the following section:

Exception

- 71g.—(1) Upon the application of any interested person, the Commission may, if satisfied upon the circumstances of the particular case that there is adequate justification for so doing, make an order upon such terms and conditions as seem to the Commission to be expedient exempting in whole or in part any person from the requirements of section 71a.

Hearing of Commission 1966, c. 142

- (2) Section 5 of *The Securities Act, 1966* applies, so far as possible, to hearings of the Commission under this section.

Appeal from Commission

- (3) Any person who feels aggrieved by a decision of the Commission under this section may appeal the decision to the Court of Appeal, and subsections 2 to 6 of section 29 of *The Securities Act, 1966* apply to the appeal.

4. Subsection 2a of section 82 of *The Corporations Act*, as enacted by subsection 2 of section 6 of *The Corporations Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 71, s. 82,  
subs. 2a  
(1966,  
c. 28, s. 6,  
subs. 2),  
re-enacted

- (2a) If the financial statement contains a statement of source and application of funds or a statement of changes in net assets, the auditor shall include in his report a statement whether in his opinion, in effect, the statement of source and application of funds or the statement of changes in net assets presents fairly the information shown therein.

5.—(1) Subclause v of clause aa of subsection 1 of section 83 of *The Corporations Act*, as enacted by subsection 1 of section 7 of *The Corporations Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 71, s. 83,  
subs. 1,  
cl. aa  
(1966,  
c. 28, s. 7,  
subs. 1),  
subcl. v,  
re-enacted

- (v) in the case of a company that is a mutual fund company or investment company as defined in the regulations under *The Securities Act, 1966*, a statement of changes in net assets for each period,

- (va) in the case of a company other than one referred to in subclause v, a statement of source and application of funds for each period, and

. . . . .

(2) Subsection 5 of the said section 83, as enacted by subsection 3 of section 7 of *The Corporations Amendment Act, 1966*, is amended by striking out "Notwithstanding subclause v of clause aa of subsection 1" in the first and second lines and inserting in lieu thereof "Notwithstanding subclauses v and va of clause aa of subsection 1, the statement of changes in net assets and", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 71, s. 83,  
subs. 5  
(1966,  
c. 28, s. 7,  
subs. 3),  
amended

- (5) Notwithstanding subclauses v and va of clause aa of subsection 1, the statement of changes in net assets and the statement of source and application of funds may be omitted if the reason for such omission is set out in the financial statement or by way of note thereto.

Omission  
of source  
and  
application  
statement

6. Section 84 of *The Corporations Act*, as amended by section 8 of *The Corporations Amendment Act, 1966*, is further amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 71, s. 84,  
amended

- (2a) The statement of profit and loss of a mutual fund company or an investment company, as defined in the regulations made under *The Securities Act, 1966*,

Mutual  
fund or  
investment  
companies

shall

shall also distinguish the average net investment income per share and an item of this nature may be shown by way of note to the statement of profit and loss.

R.S.O. 1960,  
c. 71, s. 85a  
(1966,  
c. 28, s. 9),  
amended

7. Section 85a of *The Corporations Act*, as enacted by section 9 of *The Corporations Amendment Act, 1966*, is amended by striking out “v” in the second line and inserting in lieu thereof “va” and by striking out “a” in the third line and inserting in lieu thereof “aa”, so that the section, exclusive of the clauses, shall read as follows:

Statement  
of source  
and  
application  
of funds

85a. The statement of source and application of funds referred to in subclause va of clause aa of subsection 1 of section 83 and clause aa of subsection 1 of section 93a shall be drawn up so as to present fairly the information shown therein for the period, and shall show separately at least,

. . . . .

R.S.O. 1960,  
c. 71,  
amended

8. *The Corporations Act* is amended by adding thereto the following section:

Statement  
of changes  
in net assets

85b.—(1) The statement of changes in net assets referred to in subclause v of clause aa of subsection 1 of section 83 and clause a of subsection 1 of section 93a shall be drawn up so as to present fairly the information shown therein for the period and shall show separately at least,

- (a) net assets at beginning of the period;
- (b) net investment income or loss;
- (c) aggregate proceeds on sale of portfolio investments;
- (d) aggregate cost of portfolio investments owned at beginning of the period;
- (e) aggregate cost of purchases of portfolio investments;
- (f) aggregate cost of portfolio investments owned at end of the period;
- (g) aggregate cost of portfolio investments sold;
- (h) realized profit or loss on investments sold;

(i)



- (i) distributions, showing separately the amount out of net investment income and out of realized profits;
- (j) proceeds from shares issued;
- (k) cost of shares redeemed;
- (l) net increase or decrease in unrealized appreciation or depreciation of portfolio investments;
- (m) net assets at end of the period;
- (n) net asset value per share at end of the period;
- (o) net asset value per share at beginning of the period;
- (p) distribution per share out of net investment income;
- (q) distribution per share out of realized profits.

(2) Notwithstanding subsection 1, items of the natures described in clauses *n*, *o*, *p* and *q* of subsection 1 may be shown by way of note to the statement of changes in net assets. Note to statement

**9.**—(1) Clause *a* of subsection 1 of section 93*a* of *The Corporations Act*, as enacted by section 13 of *The Corporations Amendment Act, 1966*, is repealed and the following substituted therefor: R.S.O. 1960, c. 71, s. 93*a* (1966, c. 28, s. 13), cl. *a*, re-enacted

(a) in the case of a company that is a mutual fund company or investment company as defined in the regulations under *The Securities Act, 1966*, a statement of changes in net assets for each period that complies with section 85*b*; 1966, c. 142

(aa) in the case of a company other than one referred to in clause *a*, a statement of source and application of funds for each period that complies with section 85*a*; and

. . . . .

(2) Clause *b* of subsection 2 of the said section 93*a* is amended by inserting at the commencement thereof “the statement of changes in net assets or”, so that the clause shall read as follows: R.S.O. 1960, c. 71, s. 93*a* (1966, c. 28, s. 13), subs. 2, cl. *b*, amended

(b)



- (b) the statement of changes in net assets or the statement of source and application of funds,
- . . . . .

R.S.O. 1960,  
c. 71,  
s. 127,  
subs. 1,  
amended

**10.**—(1) Subsection 1 of section 127 of *The Corporations Act* is amended by striking out “a rate not exceeding 6 per cent per annum” in the fifth line and inserting in lieu thereof “such rate”, so that the subsection shall read as follows:

Member  
loans

- (1) The capital of corporations without share capital may be in the form of loans from members, called “member loans”, and such loans may be in such amounts, payable on demand or at such times and without interest or with interest at such rate, as the by-laws provide.

R.S.O. 1960,  
c. 71,  
s. 127,  
subs. 2,  
amended

(2) Subsection 2 of the said section 127 is amended by striking out “a rate not exceeding 6 per cent per annum” in the third and fourth lines and inserting in lieu thereof “such rate”, so that the subsection shall read as follows:

Borrowing  
from  
members or  
shareholders

- (2) A corporation may borrow money from its shareholders or members in such amounts payable on demand or at such times and either without interest or with interest at such rate, as the by-laws provide.

R.S.O. 1960,  
c. 71,  
s. 134,  
subs. 4,  
amended

**11.** Subsection 4 of section 134 of *The Corporations Act* is amended by striking out “not exceeding 6 per cent per annum” in the fifth and sixth lines, so that the subsection shall read as follows:

Compulsory  
borrowing

- (4) A corporation may enact by-laws requiring its shareholders or members to lend to it the whole, or such part as the directors may determine, of the patronage returns to which they may become entitled in each fiscal year, upon such terms and at such rate of interest, as the by-laws provide.

R.S.O. 1960,  
c. 71, s. 145,  
subss. 2, 3,  
re-enacted

**12.** Subsections 2 and 3 of section 145 of *The Corporations Act* are repealed and the following substituted therefor:

Authorized  
capital

- (2) The authorized capital of a company shall be not less than \$500,000.

Exception  
1968, c. 19

- (3) A company whose authorized capital immediately before section 12 of *The Corporations Amendment Act, 1968* came into force was less than \$500,000 shall not decrease its authorized capital, and subsection 2 does not apply to the corporation until its authorized capital is increased to \$500,000 or more.

**13.**—(1) Subclause i of clause j of subsection 2 of section 208 of *The Corporations Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 71, s. 208,  
subs. 2,  
cl. j,  
subcl. i,  
re-enacted

- (i) of a corporation if, at the date of investment, the preferred shares or the common shares of the corporation are authorized as investments by clause k or l, or

(2) Clause ja of subsection 2 of the said section 208, as enacted by subsection 3 of section 7 of *The Corporations Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 71, s. 208,  
subs. 2,  
cl. ja  
(1962-63,  
c. 24, s. 7,  
subs. 3),  
re-enacted

- (ja) guaranteed investment certificates issued by a trust company incorporated in Canada if, at the date of investment, the preferred shares or the common shares of the trust company are authorized as investments by clause k or l.

(3) Clause k of subsection 2 of the said section 208 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 71, s. 208,  
subs. 2,  
cl. k,  
re-enacted

- (k) the preferred shares of a corporation if,

preferred  
shares

- (i) the corporation has paid a dividend in each of the five years immediately preceding the date of investment at least equal to the specified annual rate upon all of its preferred shares, or
- (ii) the common shares of the corporation are, at the date of investment, authorized as investments by clause l.

(4) Clause l of subsection 2 of the said section 208 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 71, s. 208,  
subs. 2,  
cl. l,  
re-enacted

- (l) the fully-paid common shares of a corporation that during a period of five years that ended less than one year before the date of investment has either,
  - (i) paid a dividend in each such year upon its common shares, or
  - (ii) had earnings in each such year available for the payment of a dividend upon its common shares,

of at least 4 per cent of the average value at which the shares were carried in the capital stock account of the corporation during the year in which the dividend was paid or in which the corporation had earnings available for the payment of dividends, as the case may be.

R.S.O. 1960,  
c. 71, s. 208,  
subs. 2,  
cl. o,  
subcl. i  
(1965, c. 21,  
s. 1, subs. 2),  
par. a,  
re-enacted

(5) Paragraph a of subclause i of clause o of subsection 2 of the said section 208, as re-enacted by subsection 2 of section 1 of *The Corporations Amendment Act, 1965*, is repealed and the following substituted therefor:

- a. a corporation, the preferred shares or common shares of which are, at the date of investment, authorized as investments by clause k or l, or

. . . . .

R.S.O. 1960,  
c. 71, s. 208,  
subs. 7,  
re-enacted

(6) Subsection 7 of the said section 208 is amended by striking out "15" in the second line and inserting in lieu thereof "25", so that the subsection shall read as follows:

Limitation  
of invest-  
ment in  
common  
shares

- (7) The total book value of the investments of an insurer in common shares shall not exceed 25 per cent of the book value of the total assets of the insurer.

Commence-  
ment

**14.** This Act comes into force on the day it receives Royal Assent.

Short title

**15.** This Act may be cited as *The Corporations Amendment Act, 1968*.

## CHAPTER 20

## An Act to amend The Corporations Tax Act

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraph 16 of subsection 1 of section 1 of *The Corporations Tax Act* is amended by striking out “Treasurer” in the tenth line and inserting in lieu thereof “Minister”. R.S.O. 1960,  
c. 73, s. 1,  
subs. 1,  
par. 16,  
amended

(2) Paragraph 29 of subsection 1 of the said section 1 is amended by striking out “Treasurer” in the third line and inserting in lieu thereof “Minister”. R.S.O. 1960,  
c. 73, s. 1,  
subs. 1,  
par. 29,  
amended

(3) Paragraph 32 of subsection 1 of the said section 1 is amended by striking out “Treasurer” in the third line and inserting in lieu thereof “Minister”. R.S.O. 1960,  
c. 73, s. 1,  
subs. 1,  
par. 32,  
amended

(4) Paragraph 42 of subsection 1 of the said section 1 is repealed. R.S.O. 1960,  
c. 73, s. 1,  
subs. 1,  
par. 42,  
repealed

(5) Subsection 1 of the said section 1, as amended by subsection 1 of section 1 of *The Corporations Tax Amendment Act, 1961-62* and section 1 of *The Corporations Tax Amendment Act, 1965*, is further amended by adding thereto the following paragraph: R.S.O. 1960,  
c. 73, s. 1,  
subs. 1,  
amended

24a. “Minister” means the Minister of Revenue.

2. Section 2 of *The Corporations Tax Act*, as amended by subsection 1 of section 2 of *The Corporations Tax Amendment Act, 1961-62* and section 1 of *The Corporations Tax Amendment Act, 1967*, is further amended by adding thereto the following subsections: R.S.O. 1960,  
c. 73, s. 2,  
amended

(7a) Where a corporation, not otherwise having a permanent establishment in Canada, is incorporated under the laws of a jurisdiction outside of Canada, which jurisdiction has not entered into a Tax Convention or Treaty with Canada for the fiscal year,

and

and owns land in a province, such land shall be deemed to be a permanent establishment in the province.

Interpre-  
tation

- (7b) For the purposes of subsections 7 and 7a, a corporation "owns land" if it has a legal, equitable or beneficial interest in the land.

R.S.O. 1960,  
c. 73, s. 4,  
subs. 6,  
amended

3.—(1) Subsection 6 of section 4 of *The Corporations Tax Act*, as amended by subsection 1 of section 3 of *The Corporations Tax Amendment Act, 1961-62*, is further amended by striking out "and" at the end of clause *h*, by adding "and" at the end of clause *i* and by adding thereto the following clause:

- (j) where land which constitutes a permanent establishment in a province under subsections 7 and 7a of section 2 is sold, and the profit derived therefrom is included in the corporation's income, the gross revenue of the corporation derived from such sales for the fiscal year shall be attributed to that permanent establishment.

R.S.O. 1960,  
c. 73, s. 4,  
subs. 33,  
amended

(2) Subsection 33 of the said section 4 is amended by striking out "Treasurer" in the fifth line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 4,  
subs. 37,  
cl. o  
(1961-62,  
c. 23, s. 3,  
subs. 5),  
re-enacted

(3) Clause *o* of subsection 37 of the said section 4, as re-enacted by subsection 5 of section 3 of *The Corporations Tax Amendment Act, 1961-62*, is repealed and the following substituted therefor:

pension  
corporation

- (o) a corporation established or incorporated solely in connection with, or for the administration of, a registered pension fund or plan, not less than 90 per cent of the income of which for the period was,

(i) from sources in Canada,

- (ii) from bonds, debentures or other securities issued or guaranteed by the International Bank for Reconstruction and Development established by the Agreement for an International Bank for Reconstruction and Development approved by subsection 1 of section 2 of the *Bretton Woods Agreements Act* (Canada), the income from which securities is payable in Canadian currency, or

R.S.C. 1952,  
c. 19

(iii)



- (iii) from sources in Canada and from bonds, debentures or other securities described in subclause ii.

(4) Clause *p* of subsection 37 of the said section 4 is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Minister". R.S.O. 1960,  
c. 73, s. 4,  
subs. 37,  
cl. *p*,  
amended

(5) The said section 4, as amended by section 3 of *The Corporations Tax Amendment Act, 1961-62*, section 1 of *The Corporations Tax Amendment Act, 1962-63* and section 2 of *The Corporations Tax Amendment Act, 1967*, is further amended by adding thereto the following subsections: R.S.O. 1960,  
c. 73, s. 4,  
amended

(34a) Where a corporation that is not subject to taxation under section 31 of the *Income Tax Act* (Canada) owns land in Ontario or owns land in Ontario and other provinces and territories of Canada and does not otherwise have a permanent establishment in Canada, this section applies as though the portion of its taxable income arising from the sale of land in Canada were its total taxable income and such taxable income were allocated among the provinces and territories of Canada in accordance with those provisions of subsection 34 as are applicable. Idem  
R.S.C. 1952,  
c. 148

(34b) Where a corporation that has elected to be taxed pursuant to the provisions of section 110 of the *Income Tax Act* (Canada) owns land in Ontario or owns land in Ontario and other provinces and territories of Canada and does not otherwise have a permanent establishment in Canada, this section applies as though the portion of its taxable income arising from the sale or rental of land in Canada were its total taxable income, and such taxable income were allocated among the provinces and territories of Canada in accordance with those provisions of subsection 34 as are applicable. Idem

4. Subsection 16 of section 5 of *The Corporations Tax Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 73, s. 5,  
subs. 16,  
re-enacted

(16) In the case of a corporation to which subsection 34, 34a or 34b of section 4 applies the paid-up capital thereof shall, notwithstanding section 68, be deemed to be either, Paid-up  
capital,  
foreign  
corporations

(a) the amount of which the portion of its taxable income which is subjected to taxation under section 31 of the *Income Tax Act* R.S.C. 1952,  
c. 148

(Canada)

(Canada) or the amount of which the portion of its taxable income is subjected to taxation under subsection 34*a* of section 4 would be 8 per cent; or

(*b*) the amount that equals the difference between,

(i) the amount of the total assets of the corporation in Canada, and

(ii) the amount of the indebtedness of the corporation relating to its permanent establishments in Canada but excluding therefrom all amounts that are advanced or loaned to its permanent establishments in Canada by the corporation itself or by any other corporation and all other indebtedness that is represented by bonds, bond mortgages, debentures, income bonds, income debentures, mortgages, lien notes and any other securities to which the property in Canada or any of it is subject,

whichever is greater, and, in such case, this section shall apply as though the paid-up capital as so determined were the total paid-up capital of the corporation and as though the corporation had no permanent establishments outside of Canada.

R.S.O. 1960,  
c. 73, s. 6,  
subs. 7,  
cl. *b*,  
amended

**5.** Clause *b* of subsection 7 of section 6 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the fourth line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 7,  
subs. 2,  
amended

**6.** Subsection 2 of section 7 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 17,  
amended

**7.** Section 17 of *The Corporations Tax Act*, as amended by section 5 of *The Corporations Tax Amendment Act, 1961-62*, section 2 of *The Corporations Tax Amendment Act, 1962-63*, section 2 of *The Corporations Tax Amendment Act, 1964* and section 4 of *The Corporations Tax Amendment Act, 1965*, is further amended by adding thereto the following clause:

previous  
reserve for  
quadrennial  
survey, etc.

(*ea*) the amount deducted as a reserve under clause *ha* of subsection 1 of section 22 in computing the corporation's income for the immediately preceding year.

**8.** *The Corporations Tax Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 73,  
amended

17a.—(1) Where the result of one or more sales, exchanges, Indirect  
payment  
or transfer  
declarations of trust, or other transactions of any kind whatsoever is that a person confers a benefit on a corporation, that person shall be deemed to have made a payment to the corporation equal to the amount of the benefit conferred notwithstanding the form or legal effect of the transactions or that one or more other persons were also parties thereto; and whether or not there was an intention to avoid or evade taxes under this Act, the payment shall be included in computing the income of the corporation.

(2) Where it is established that a sale, exchange or other Arm's  
length  
transaction was entered into by a corporation and other persons dealing at arm's length, *bona fide* and not pursuant to, or as part of, any other transaction and not to effect payment in whole or in part of an existing or future obligation, no party thereto shall be regarded, for the purpose of this section and for the purpose of subsection 5 of section 23, as having conferred a benefit on a corporation who was party thereto.

**9.** Section 20 of *The Corporations Tax Act* is amended by R.S.O. 1960,  
c. 73, s. 20,  
amended  
striking out "Treasurer" in the ninth line and inserting in lieu thereof "Minister".

**10.** Clause *d* of section 21 of *The Corporations Tax Act*, R.S.O. 1960,  
c. 73, s. 21,  
cl. *d*  
(1966,  
c. 30, s. 2),  
amended  
as enacted by section 2 of *The Corporations Tax Amendment Act, 1966*, is amended by adding at the end thereof "or the *Industrial Research and Development Incentives Act (Canada)*", so that the clause shall read as follows:

(*d*) an amount paid to a corporation on account of a federal  
develop-  
ment grants  
1965,  
c. 12 (Can.)  
1966,  
c. 82 (Can.)  
development grant under the *Area Development Incentives Act (Canada)* or the *Industrial Research and Development Incentives Act (Canada)*.

**11.**—(1) Clause *a* of subsection 1 of section 22 of *The Corporations Tax Act* is amended by striking out "or" at R.S.O. 1960,  
c. 73, s. 22,  
subs. 1,  
cl. *a*,  
amended  
the end of subclause i, by adding "or" at the end of subclause ii, and by adding thereto the following subclause:

(iii) subject to the approval of the Minister, an amount paid to the corporation under,

(A) an *Appropriation Act (Canada)* for the purpose of advancing or sustaining the technolog-

ical capability of Canadian manufacturing or other industry, or

(B) the *Northern Mineral Exploration Assistance Regulations* made under an *Appropriation Act* (Canada),

. . . . .

R.S.O. 1960,  
c. 73, s. 22,  
subs. 1,  
amended

(2) Subsection 1 of the said section 22, as amended by subsection 1 of section 7 of *The Corporations Tax Amendment Act, 1961-62*, section 3 of *The Corporations Tax Amendment Act, 1962-63*, subsections 1 and 2 of section 5 of *The Corporations Tax Amendment Act, 1965* and subsection 1 of section 3 of *The Corporations Tax Amendment Act, 1966*, is further amended by adding thereto the following clause:

reserve for  
quadrennial  
survey

(ha) such amount as may be prescribed as a reserve for expenses to be incurred by the corporation by reason of quadrennial or other special surveys required under the *Canada Shipping Act* (Canada), or the regulations thereunder or under the rules of any society or association for the classification and registry of shipping approved by the Minister of Transport of Canada for the purpose of the *Canada Shipping Act* (Canada).

R.S.C. 1952,  
c. 29

R.S.O. 1960,  
c. 73, s. 22,  
subs. 1,  
cl. r,  
amended

(3) Clause *r* of subsection 1 of the said section 22 is amended by inserting after "a" where it occurs the third time in the first line "registered", so that the clause shall read as follows:

contribution  
under  
registered  
supplemen-  
tary unem-  
ployment  
benefit  
plan

(r) an amount paid by a corporation to a trustee under a registered supplementary unemployment benefit plan as permitted by section 53.

R.S.O. 1960,  
c. 73, s. 22,  
subs. 5,  
amended

(4) Subsection 5 of the said section 22 is amended by striking out "Treasurer" in the fifth line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 22,  
subs. 8,  
amended

(5) Subsection 8 of the said section 22 is amended by striking out "Treasurer" in the ninth line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 23,  
subs. 1,  
amended

**12.**—(1) Subsection 1 of section 23 of *The Corporations Tax Act*, as amended by section 8 of *The Corporations Tax Amendment Act, 1961-62* and section 4 of *The Corporations Tax Amendment Act, 1964*, is further amended by adding thereto the following clause:

limitation  
on con-  
tribution

(j) an amount paid by a corporation to a trustee under a supplementary unemployment benefit plan except as permitted by section 53.



(2) The said section 23 is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 73, s. 23,  
amended

- (5) In computing income, no deduction may be made in respect of a disbursement or expense made or incurred in respect of a transaction or operation that, if allowed, would unduly or artificially reduce the income. Artificial  
transaction

**13.** Subsection 2 of section 24 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister". R.S.O. 1960,  
c. 73, s. 24,  
subs. 2,  
amended

**14.**—(1) Subsection 4 of section 31 of *The Corporations Tax Act*, as amended by section 3 of *The Corporations Tax Amendment Act, 1967*, is further amended by re-lettering clause *a* as clause *aa* and by adding thereto the following clauses: R.S.O. 1960,  
c. 73, s. 31,  
subs. 4,  
amended

- (a) "conversion", in respect of a vessel, means a conversion or major alteration in Canada by a corporation in accordance with plans approved in writing by the Minister of Industry of Canada for the purposes of the *Income Tax Act* (Canada) and by the Minister, and "conversion cost" means the cost of conversion as determined by the Minister; R.S.C. 1952,  
o. 148

- (f) "vessel" means a vessel as defined in the *Canada Shipping Act* (Canada). R.S.C. 1952,  
c. 29

(2) Clauses *a* and *b* of subsection 5 of the said section 31 are repealed and the following substituted therefor: R.S.O. 1960,  
c. 73, s. 31,  
subs. 5,  
cls. *a*, *b*,  
re-enacted

- (a) it shall, to the extent that it has been expended by the corporation,

- (i) in the fiscal year immediately following the initial fiscal year on acquiring property of the same class,
- (ii) in the fiscal year immediately following the initial fiscal year on acquiring, if the property destroyed was a building, a building of a prescribed class, or
- (iii) within the time certified by the Minister to be a reasonable time following the initial fiscal year, on acquiring, if the property destroyed was a vessel, a vessel of a prescribed class,

not be included in computing the income of the corporation for the initial fiscal year; and

(b)



(b) it shall, to the extent that it has not been included in computing the income of the corporation for the initial fiscal year, be deemed to be proceeds of a disposition made,

(i) in the case of a vessel, in the fiscal year in which it is in whole or in part expended in accordance with clause *a*, but only to the extent that it is so expended in that year and only if such year is within the time certified by the Minister under subclause iii of clause *a*, and

(ii) in the case of any other property in the fiscal year immediately following the initial year,

of depreciable property of the corporation of the same class as the property so acquired.

R.S.O. 1960,  
c. 73, s. 31,  
subs. 5b  
(1960-61,  
c. 14, s. 3),  
amended

(3) Subsection 5b of the said section 31, as enacted by section 3 of *The Corporations Tax Amendment Act, 1960-61*, is amended by striking out "Treasurer" in the twelfth line and in the thirteenth line and inserting in lieu thereof in each instance "Minister".

R.S.O. 1960,  
c. 73, s. 31,  
subs. 9  
(1966,  
c. 30, s. 5),  
re-enacted

(4) Subsection 9 of the said section 31, as enacted by section 5 of *The Corporations Tax Amendment Act, 1966*, is repealed and the following substituted therefor:

(9) Paragraph 8 of subsection 6 does not apply in respect of a grant authorized to be paid under the *Area Development Incentives Act* (Canada) or the *Industrial Research and Development Incentives Act* (Canada) and approved by the Minister.

1965,  
c. 12 (Can.)  
1966,  
c. 82 (Can.)

R.S.O. 1960,  
c. 73, s. 31,  
amended

(5) The said section 31, as amended by section 3 of *The Corporations Tax Amendment Act, 1960-61*, section 6 of *The Corporations Tax Amendment Act, 1964*, section 8 of *The Corporations Tax Amendment Act, 1965*, section 5 of *The Corporations Tax Amendment Act, 1966* and section 3 of *The Corporations Tax Amendment Act, 1967*, is further amended by adding thereto the following subsections:

Application  
where  
deduction  
under  
R.S.C. 1952,  
c. 43

(11) Notwithstanding subsection 8, where a deduction has been made under the *Canadian Vessel Construction Assistance Act* (Canada) for any year, subsection 1 is applicable in respect of the prescribed class created by that Act or any other prescribed class to which the vessel may have been transferred.

- (12) For the purpose of this section and regulations made under clause *a* of subsection 2 of section 22, a vessel in respect of which any conversion cost is incurred after the coming into force of this subsection shall, to the extent of the conversion cost, be deemed to be included in a separate prescribed class. Conversion cost of vessel deemed prescribed class
- (13) Where a vessel owned by a corporation on the 1st day of January, 1966, or constructed pursuant to a construction contract entered into by the taxpayer prior to 1966 and not completed by that date is disposed of by the corporation before 1974, Subs. 1 not applicable in certain cases
- (a) subsection 1 does not apply to the proceeds of disposition,
- (i) to the extent that they are used by any corporation before 1974 for replacement under conditions satisfactory to the Minister, or
- (ii) if the corporation has on terms satisfactory to the Minister, deposited on or before the day on which it is required to file a return under this Act for the fiscal year in which the vessel was disposed of, an amount at least equal to the tax that would but for this subsection be payable by the corporation under this Part in respect of the proceeds of disposition, or satisfactory security therefor, as a guarantee that the proceeds of disposition will be used before 1974 for replacement; and
- (b) the corporation may within the time prescribed for the filing of a return under this Act for the fiscal year in which the vessel was disposed of, elect to have the vessel constituted a prescribed class, or, if any conversion cost in respect of the vessel has been included in a separate prescribed class, have it transferred to that class, and, if it so elects, the vessel shall be deemed to have been so transferred immediately before the disposition thereof but this clause does not apply unless the proceeds of disposition of the vessel exceed the amount that would be the undepreciated capital cost of property of the class to which it would be so transferred.

Election in respect of proceeds of disposition of a vessel

- (14) Where a vessel owned by a corporation is disposed of by it, it may, if subsection 13 does not apply to the proceeds of disposition or if the corporation does not make an election under clause *b* of subsection 13, within the prescribed time for the filing of a return under this Act for the fiscal year in which the vessel is disposed of, elect to have the proceeds that would be included in its income under subsection 1 treated as proceeds of disposition of property of another prescribed class that includes a vessel owned by it.

Prescribed class constituted by conversion cost deemed part of class constituted by vessel on disposition  
R.S.C. 1952, c. 43

- (15) Where a separate prescribed class has been constituted either under this Act or the *Canadian Vessel Construction Assistance Act* (Canada) by virtue of the conversion of a vessel owned by a corporation and the vessel is disposed of by it, if no election is made under clause *b* of subsection 13, the separate prescribed class constituted by virtue of the conversion shall be deemed to have been transferred to the class in which the vessel was included immediately before the disposition thereof.

Re-assessments

- (16) Notwithstanding any other provision of this Act, where a corporation,
- (a) expended an amount as described in subclause iii of clause *a* of subsection 5; or
  - (b) made an election under clause *b* of subsection 13 with respect to a vessel and the proceeds of disposition of the vessel have been used before 1974 for replacement under conditions satisfactory to the Minister,

such re-assessments of returns of income shall be made as are necessary to give effect to subsections 5 and 13.

Disposition of deposits

- (17) All or any part of a deposit made under subclause ii of clause *a* of subsection 13 may be paid out to or on behalf of any corporation which, under conditions satisfactory to the Minister and as a replacement for the vessel disposed of, acquires a vessel before 1974,
- (a) that was constructed in Canada and is registered in Canada or is registered under conditions satisfactory to the Minister in any country or territory to which the British Commonwealth Merchant Shipping Agreement (signed at London on December 10, 1931) applies; and

(b)

- (b) in respect of the capital cost of which no allowance has been made to any other taxpayer under this Act or the *Canadian Vessel Construction Assistance Act* (Canada) or the *Income Tax Act* (Canada),

R.S.C. 1952,  
cc. 43, 148

or incurs any conversion cost with respect to a vessel of the corporation that is registered in Canada or is registered under conditions satisfactory to the Minister in any country or territory to which the said British Commonwealth Merchant Shipping Agreement applies, but the ratio of the amount paid out to the amount of the deposit shall not exceed the ratio of the capital cost to it of the vessel or the conversion cost to it of the vessel, as the case may be, to the proceeds of disposition of the vessel disposed of; and any deposit or part of a deposit not so paid out before 1974 shall be paid to the Treasurer of Ontario.

**15.** Sections 32, 33 and 34 of *The Corporations Tax Act* are repealed.

R.S.O. 1960  
c. 73,  
ss. 32-34,  
repealed

**16.** Section 38 of *The Corporations Tax Act*, as re-enacted by section 13 of *The Corporations Tax Amendment Act, 1961-62*, is amended by striking out "Treasurer" in the eighth line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 38  
(1961-62,  
c. 23, s. 13),  
amended

**17.**—(1) Paragraph 1 of subsection 1 of section 39 of *The Corporations Tax Act*, as re-enacted by subsection 1 of section 4 of *The Corporations Tax Amendment Act, 1967*, is amended by striking out "Treasurer" in the twenty-seventh line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 39,  
subs. 1,  
par. 1  
(1967,  
c. 15, s. 4,  
subs. 1),  
amended

(2) Paragraph 2 of subsection 1 of the said section 39 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 73, s. 39,  
subs. 1,  
par. 2,  
re-enacted

2. The aggregate of gifts made by the corporation in the fiscal year and in the immediately preceding fiscal year, to the extent of the amount thereof that was not deductible under this Act in computing the taxable income of the corporation for that immediately preceding fiscal year to Her Majesty in right of Canada and of Ontario, not exceeding the amount remaining, if any, when the amount deductible for the fiscal year under paragraph 1 is deducted from the income of the corporation for the fiscal year, if payment of the amounts given is proven by filing receipts or photostatic reproductions thereof with the Minister.

gifts to  
Her  
Majesty



R.S.O. 1960, c. 73, s. 39, subs. 6 (1967, c. 15, s. 4, subs. 2), amended (3) Subsection 6 of the said section 39, as enacted by subsection 2 of section 4 of *The Corporations Tax Amendment Act, 1967*, is amended by striking out "Treasurer" in the fourteenth line and inserting in lieu thereof "Minister".

R.S.O. 1960, c. 73, s. 39, subs. 7 (1967, c. 15, s. 4, subs. 2), amended (4) Subsection 7 of the said section 39, as enacted by subsection 2 of section 4 of *The Corporations Tax Amendment Act, 1967*, is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".

R.S.O. 1960, c. 73, s. 39, subs. 8 (1967, c. 15, s. 4, subs. 2), amended (5) Subsection 8 of the said section 39, as enacted by subsection 2 of section 4 of *The Corporations Tax Amendment Act, 1967*, is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".

R.S.O. 1960, c. 73, s. 45, subs. 2, amended **18.** Subsection 2 of section 45 of *The Corporations Tax Act*, as amended by section 5 of *The Corporations Tax Amendment Act, 1967*, is further amended by adding thereto the following paragraph:

7. It has paid the taxes payable for a fiscal year under Part I of the *Income Tax Act* (Canada), as provided by subsection 2 of section 70 thereof.

R.S.O. 1960, c. 73, s. 46a (1965, c. 22, s. 11), subs. 2, cl. a, amended **19.**—(1) Clause *a* of subsection 2 of section 46a of *The Corporations Tax Act*, as enacted by section 11 of *The Corporations Tax Amendment Act, 1965*, is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".

R.S.O. 1960, c. 73, s. 46a, subs. 2, cl. e (1967, c. 15, s. 6), amended (2) Clause *e* of subsection 2 of the said section 46a, as re-enacted by section 6 of *The Corporations Tax Amendment Act, 1967*, is amended by striking out "Treasurer" in the sixth line and inserting in lieu thereof "Minister".

R.S.O. 1960, c. 73, s. 46a (1965, c. 22, s. 11), subs. 6, amended (3) Subsection 6 of the said section 46a is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".

R.S.O. 1960, c. 73, s. 46a (1965, c. 22, s. 11), subs. 7, amended (4) Subsection 7 of the said section 46a is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Minister".

R.S.O. 1960, c. 73, s. 46a (1965, c. 22, s. 11), subs. 8, cl. d, amended (5) Clause *d* of subsection 8 of the said section 46a is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".

R.S.O. 1960, c. 73, s. 47, subs. 1, re-enacted **20.**—(1) Subsection 1 of section 47 of *The Corporations Tax Act*, as amended by subsections 1 and 2 of section 16 of *The Corporations Tax Amendment Act, 1961-62* and sub-



sections 1 and 2 of section 6 of *The Corporations Tax Amendment Act, 1962-63*, is repealed and the following substituted therefor:

- (1) In computing the income for a fiscal year of a corporation that had a permanent establishment in Canada and made expenditures in respect of scientific research in the fiscal year, there may be deducted the amount by which the aggregate of,
- (a) all expenditures of a current nature made in Canada in the fiscal year,
    - (i) on scientific research related to the business and directly undertaken by or on behalf of the corporation,
    - (ii) by payments to an approved association that undertakes scientific research related to the class of business of the corporation,
    - (iii) by payments to an approved university, college, research institute or other similar institution to be used for scientific research related to the class of business of the corporation,
    - (iv) by payments to a corporation resident in Canada and exempt from tax on taxable income by clause *ea* of subsection 37 of section 4,
    - (v) by payments to a corporation resident in Canada for scientific research related to the business of the corporation;
  - (b) such amount as may be claimed by the corporation not exceeding the lesser of,
    - (i) the expenditures of a capital nature made in Canada, by acquiring property other than land, in the fiscal year and any previous fiscal year ending after 1958 on scientific research relating to the business and directly undertaken by or on behalf of the corporation, or
    - (ii) the undepreciated capital cost to the corporation of the property so acquired as of the end of the fiscal year, before

making

making any deduction under this clause in computing the income of the corporation for the fiscal year; and

- (c) all expenditures in the year by way of repayments of amounts paid to the corporation under the *Industrial Research and Development Incentives Act* (Canada) and approved by the Minister for the purpose of advancing or sustaining the technological capability of Canadian manufacturing or other industry,

1966-67,  
o. 82 (Can.)

exceeds the aggregate of amounts paid to the corporation in the fiscal year under the *Industrial Research and Development Incentives Act* (Canada).

- R.S.O. 1960,  
c. 73, s. 47,  
subs. 4, cl. a,  
amended (2) Clause *a* of subsection 4 of the said section 47 is amended by striking out "Treasurer" and inserting in lieu thereof "Minister".

- R.S.O. 1960,  
c. 73, s. 47,  
subs. 5,  
re-enacted (3) Subsection 5 of the said section 47 is repealed and the following substituted therefor:

Expend-  
itures of  
a capital  
nature

- (5) An amount claimed under clause *b* of subsection 1 in computing a deduction under that subsection shall for the purpose of section 31 be deemed to be an amount allowed to the corporation in respect of the property acquired by the expenditures under the regulations made pursuant to clause *a* of subsection 2 of section 22 and for that purpose the property acquired by the expenditures shall be deemed to be of a separate prescribed class.

- R.S.O. 1960,  
c. 73, s. 47 *a*  
(1962-63,  
c. 26, s. 7),  
subs. 2,  
par. 2, cl. *b*,  
subcl. i,  
re-enacted **21.**—(1) Subclause *i* of clause *b* of paragraph 2 of subsection 2 of section 47*a* of *The Corporations Tax Act*, as enacted by section 7 of *The Corporations Tax Amendment Act, 1962-63*, is repealed and the following substituted therefor:

- (i) the base scientific expenditures of the corporation and of each corporation associated with the corporation in the fiscal year other than a corporation an amount equal to the base scientific expenditure of which is included, by virtue of paragraph 12 of subsection 2 of section 65, in the base scientific expenditure of another corporation that is also associated with the corporation in the fiscal year.

R.S.O. 1960,  
c. 73, s. 47 *a*  
(1962-63,  
c. 26, s. 7),  
subs. 2,  
par. 2, cl. *b*,  
subcl. ii,  
sub-  
subcl. C,  
re-enacted (2) Sub-subclause C of subclause ii of clause *b* of paragraph 2 of subsection 2 of the said section 47*a* is repealed and the following substituted therefor:

(C)

- (C) in respect of which substantially all the business that was carried on by such corporation in Canada in its last fiscal year that ended before the 11th day of April, 1962, was acquired in any manner whatsoever, other than by an amalgamation within the meaning of section 65, by the corporation or one or more corporations associated with the corporation in the fiscal year, and

. . . . .

(3) The said section 47a, as amended by section 10 of *The Corporations Tax Amendment Act, 1964*, is further amended by adding thereto the following subsection: R.S.O. 1960,  
c. 73, s. 47a  
(1962-63,  
c. 26, s. 7),  
amended

- (7) Where in a fiscal year a grant has been authorized to be paid to a corporation under the *Industrial Research and Development Incentives Act* (Canada) in respect of expenditures on scientific research and development as defined in the *Industrial Research and Development Incentives Act* (Canada), the corporation is not, and shall be deemed never to have been, entitled to make any deduction under this section in computing its income for that fiscal year. Where grant  
for scientific  
research and  
development  
under  
1966-67,  
c. 82 (Can.)

**22.**—(1) Clause *b* of subsection 5 of section 50 of *The Corporations Tax Act* is amended by striking out “Treasurer” in the eleventh line and inserting in lieu thereof “Minister”. R.S.O. 1960,  
c. 73, s. 50,  
subs. 5,  
cl. b,  
amended

(2) Paragraph 2 of subsection 9 of the said section 50 is amended by striking out “Treasurer” in the sixth line and in the eighth line and inserting in lieu thereof in each instance “Minister”. R.S.O. 1960,  
c. 73, s. 50,  
subs. 9,  
par. 2  
amended

(3) Paragraph 3 of subsection 9 of the said section 50 is amended by striking out “Treasurer” in the tenth line and inserting in lieu thereof “Minister”. R.S.O. 1960,  
c. 73, s. 50,  
subs. 9,  
par. 3  
amended

**23.** Subsection 1 of section 51 of *The Corporations Tax Act* is amended by striking out “Treasurer” in the eleventh line and inserting in lieu thereof “Minister”. R.S.O. 1960,  
c. 73, s. 51,  
subs. 1,  
amended

**24.** Subsection 5 of section 52 of *The Corporations Tax Act*, as enacted by section 17 of *The Corporations Tax Amendment Act, 1961-62*, is amended by striking out “Treasurer” in the second line and inserting in lieu thereof “Minister”. R.S.O. 1960,  
c. 73, s. 52,  
subs. 5  
(1961-62,  
c. 23, s. 17),  
amended

**25.** Section 53 of *The Corporations Tax Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 73, s. 53,  
re-enacted

Interpre-  
tation

53.—(1) In this Act,

registered  
supplemen-  
tary unem-  
ployment  
benefit  
plan

(a) “registered supplementary unemployment benefit plan” means a supplementary unemployment benefit plan accepted by the Minister for registration for the purposes of this Act in respect of its constitution and operations for the fiscal year under consideration;

supplemen-  
tary unem-  
ployment  
benefit  
plan

(b) “supplementary unemployment benefit plan” means an arrangement, other than an arrangement in the nature of a superannuation or pension fund or plan or an employees profit sharing plan, under which payments are made by a corporation to a trustee in trust exclusively for the payment of periodic amounts to employees or former employees of the corporation who are or may be laid off for any temporary or indefinite period.

No tax  
while trust  
governed  
by plan

(2) No tax is payable under section 4 upon the taxable income of the trust for a period during which the trust was governed by a registered supplementary unemployment benefit plan.

Payments  
by cor-  
poration  
deductible

(3) An amount paid by a corporation to a trustee under a registered supplementary unemployment benefit plan during a fiscal year or within thirty days thereafter may be deducted in computing the income of the corporation for the fiscal year to the extent that it was not deductible in computing income for a previous fiscal year.

R.S.O. 1960,  
c. 73, s. 53*a*  
(1961-62,  
c. 23, s. 18),  
subs. 1,  
cl. *a*,  
amended

**26.**—(1) Clause *a* of subsection 1 of section 53*a* of *The Corporations Tax Act*, as enacted by section 18 of *The Corporations Tax Amendment Act, 1961-62*, is amended by striking out “Treasurer” in the second line and inserting in lieu thereof “Minister”.

R.S.O. 1960,  
c. 73, s. 53*a*  
(1961-62,  
c. 23, s. 18),  
subs. 1,  
cl. *b*,  
re-enacted

(2) Clause *b* of subsection 1 of the said section 53*a* is repealed and the following substituted therefor:

(b) “profit sharing plan” means an arrangement under which payments computed by reference to the profits of a corporation from its business or by reference to the profits from its business and the profits, if any, from the business of a person with whom the corporation does not deal at arm’s length are or have been made by the corporation to a trustee in trust



for the benefit of employees of that corporation or of any other person, whether or not payments are or have been also made to the trustee by the employees.

(3) Subsection 2 of the said section 53*a* is amended by striking out "Treasurer" in the first line and in the eighth line and inserting in lieu thereof in each instance "Minister".

R.S.O. 1960,  
c. 73, s. 53*a*  
(1961-62,  
c. 23, s. 18),  
subs. 2,  
amended

(4) Subsection 3 of the said section 53*a* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 53*a*  
(1961-62,  
c. 23, s. 18),  
subs. 3,  
amended

(5) Subsection 6 of the said section 53*a* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 73, s. 53*a*  
(1961-62,  
c. 23, s. 18),  
subs. 6,  
re-enacted

(6) There may be deducted in computing the income of a corporation for a fiscal year the aggregate of each amount paid by the corporation in the year or within 120 days after the end of the fiscal year, to a trustee under a deferred profit sharing plan for the benefit of employees of the corporation who are beneficiaries under the plan, not exceeding, however, in respect of each individual employee in respect of whom the amounts so paid by the corporation were paid by it, an amount equal to the least of,

Amount of  
corpora-  
tion's con-  
tribution  
deductible

(a) the aggregate of each amount so paid by the corporation in respect of that employee;

(b) \$1,500, minus the amount, if any, deductible under clause *j* of subsection 1 of section 22 in respect of that employee in computing the income of the corporation for the fiscal year; or

(c) 20 per cent of the salary or wages paid in the year to the employee by the corporation,

to the extent that such amount was not deductible in computing the income of the corporation for a previous fiscal year.

(6) Subsection 9 of the said section 53*a* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 53*a*  
(1961-62,  
c. 23, s. 18),  
subs. 9,  
amended

**27.**—(1) Subsection 10 of section 55 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the fourth line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 55,  
subs. 10,  
amended



R.S.O. 1960,  
c. 73, s. 55,  
subs. 11,  
amended

(2) Subsection 11 of the said section 55 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 57,  
subs. 2,  
amended

**28.**—(1) Subsection 2 of section 57 of *The Corporations Tax Act*, as amended by subsection 2 of section 8 of *The Corporations Tax Amendment Act, 1962-63*, is further amended by striking out "Treasurer" in the twentieth line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 57,  
amended

(2) Section 57 of *The Corporations Tax Act*, as amended by section 6 of *The Corporations Tax Amendment Act, 1960-61*, section 19 of *The Corporations Tax Amendment Act, 1961-62*, section 8 of *The Corporations Tax Amendment Act, 1962-63*, section 11 of *The Corporations Tax Amendment Act, 1964* and section 9 of *The Corporations Tax Amendment Act, 1966*, is further amended by adding thereto the following subsection:

Extended  
meaning of  
drilling  
and ex-  
ploration  
expenses  
and pros-  
pecting,  
exploration  
and de-  
velopment  
expenses

(10aa) For the purpose of this section and section 65, there shall be deducted in computing,

- (a) drilling and exploration expenses incurred by a corporation on or in respect of exploring or drilling for petroleum or natural gas in Canada; and
- (b) prospecting, exploration and development expenses incurred by a corporation in searching for minerals in Canada,

subject to the approval of the Minister, any amount paid to the corporation under the *Northern Mineral Exploration Assistance Regulations* (Canada) made under an *Appropriation Act* (Canada) that provides for payments in respect of the Northern Mineral Grants Program, and there shall be included in computing such expenses, any amount, except an amount in respect of interest, paid by the corporation under the *Northern Mineral Exploration Assistance Regulations* (Canada) to Her Majesty in right of Canada.

R.S.O. 1960,  
c. 73, s. 60,  
amended

**29.**—(1) Section 60 of *The Corporations Tax Act*, as amended by section 20 of *The Corporations Tax Amendment Act, 1961-62*, is further amended by adding thereto the following subsection:

No deduc-  
tion in  
respect of  
sale of  
property  
in certain  
circum-  
stances

- (7a) Clause *d* of subsection 1 does not apply to allow a deduction in computing the income of a corporation for a fiscal year from a business in respect of property sold in the course of business where the corporation

ceases to have a permanent establishment or becomes exempt from tax under any provision of this Act at any time in the fiscal year or in the immediately following fiscal year.

(2) The said section 60 is further amended by adding thereto the following subsection: R.S.O. 1960,  
c. 73, s. 60,  
amended

(7b) No corporation shall sell, pledge, assign or in any way dispose of any security received by it as payment in whole or in part for any property sold by it, where the corporation has set up a reserve in respect of the sale of the property under this section unless the corporation has provided the Minister, in writing, with the names of the purchaser, pledgee or assignee and with the amount of cash to be received by the corporation for the security. Disposal of  
security  
where  
reserve  
re sale of  
property

**30.** Subsection 2 of section 61 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the fifth line and inserting in lieu thereof "Minister". R.S.O. 1960,  
c. 73, s. 61,  
subs. 2,  
amended

**31.** Paragraph 2 of subsection 2 of section 62 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the second line, in the third line and in the seventh line and inserting in lieu thereof in each instance "Minister". R.S.O. 1960,  
c. 73, s. 62,  
subs. 2,  
par. 2,  
amended

**32.** Subsection 3 of section 63 of *The Corporations Tax Act*, as re-enacted by subsection 2 of section 14 of *The Corporations Tax Amendment Act, 1965*, is amended by striking out "Treasurer" in the ninth line and in the eleventh line and inserting in lieu thereof in each instance "Minister". R.S.O. 1960,  
c. 73, s. 63,  
subs. 3  
(1965,  
c. 22, s. 14,  
subs. 2),  
amended

**33.** Clause *a* of subsection 1 of section 69 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the fourth line and inserting in lieu thereof "Minister". R.S.O. 1960,  
c. 73, s. 69,  
subs. 1,  
cl. a,  
amended

**34.**—(1) Subsection 1 of section 71 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the sixth line, in the seventh line and in the eighth line and inserting in lieu thereof in each instance "Minister" and by striking out "Treasury Department" in the seventh line and inserting in lieu thereof "Department of Revenue". R.S.O. 1960,  
c. 73, s. 71,  
subs. 1,  
amended

(2) Subsection 2 of the said section 71 is amended by striking out "Treasurer" in the tenth line and inserting in lieu thereof "Minister". R.S.O. 1960,  
c. 73, s. 71,  
subs. 2,  
amended

**35.** Section 73 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister". R.S.O. 1960,  
c. 73, s. 73,  
amended

R.S.O. 1960,  
c. 73, s. 74,  
subs. 2  
(1967,  
c. 15, s. 9,  
subs. 1),  
amended

**36.**—(1) Subsection 2 of section 74 of *The Corporations Tax Act*, as re-enacted by subsection 1 of section 9 of *The Corporations Tax Amendment Act, 1967*, is amended by inserting after “Treasurer” in the second line “of Ontario”.

R.S.O. 1960,  
c. 73, s. 74,  
subs. 2  
(1967,  
c. 15, s. 9,  
subs. 1),  
cl. a,  
amended

(2) Clause a of subsection 2 of the said section 74 is amended by striking out “taxation” in the ninth line and inserting in lieu thereof “fiscal”.

R.S.O. 1960,  
c. 73, s. 75,  
subs. 1,  
amended

**37.**—(1) Subsection 1 of section 75 of *The Corporations Tax Act* is amended by striking out “6” in the eighth line and inserting in lieu thereof “9”.

R.S.O. 1960,  
c. 73, s. 75,  
subs. 2,  
amended

(2) Subsection 2 of the said section 75 is amended by striking out “6” in the fifth line and inserting in lieu thereof “9”.

R.S.O. 1960,  
c. 73, s. 75,  
subs. 6  
(1967,  
c. 15, s. 10,  
subs. 2),  
repealed

(3) Subsection 6 of the said section 75, as re-enacted by subsection 2 of section 10 of *The Corporations Tax Amendment Act, 1967*, is repealed.

R.S.O. 1960,  
c. 73, s. 75,  
subs. 7  
(1967,  
c. 15, s. 10,  
subs. 3),  
re-enacted

(4) Subsection 7 of the said section 75, as enacted by subsection 3 of section 10 of *The Corporations Tax Amendment Act, 1967* is repealed and the following substituted therefor:

Payment of  
instalments

(7) For the purposes of calculating interest under subsection 2, where a corporation is required to pay a part or instalment of tax for a fiscal year as estimated by it on its taxable income and other subject of tax for a preceding fiscal year or on its estimated taxable income and other subject of tax for the fiscal year, it shall be deemed to have been liable to pay a part or instalment computed by reference to the taxable income and other subject of tax for,

(a) the preceding fiscal year; or

(b) the fiscal year,

whichever is the lesser.

R.S.O. 1960,  
c. 73, s. 76,  
subs. 1,  
amended

**38.**—(1) Subsection 1 of section 76 of *The Corporations Tax Act* is amended by striking out “Treasurer” in the first line and inserting in lieu thereof “Minister”.

R.S.O. 1960,  
c. 73, s. 76,  
subs. 2  
(1967,  
c. 15, s. 11),  
amended

(2) Subsection 2 of the said section 76, as re-enacted by section 11 of *The Corporations Tax Amendment Act, 1967*, is amended by striking out “Treasurer” in the first line and inserting in lieu thereof “Minister”.

(3) Subsection 4 of the said section 76 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 76, subs. 4, amended

(4) Subsection 5 of the said section 76 is amended by striking out "Treasurer" in the eighth line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 76, subs. 5, amended

(5) Subsection 6 of the said section 76 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 76, subs. 6, amended

**39.** Subsection 2 of section 77 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the first line and in the third line and inserting in lieu thereof in each instance "Minister". R.S.O. 1960, c. 73, s. 77, subs. 2, amended

**40.**—(1) Subsection 1 of section 78 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the fourth line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 78, subs. 1, amended

(2) Subsection 2 of the said section 78 is amended by striking out "Treasurer" in the second line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 78, subs. 2, amended

(3) Subsection 3 of the said section 78 is amended by striking out "3" in the third line and inserting in lieu thereof "4". R.S.O. 1960, c. 73, s. 78, subs. 3, amended

(4) Subsection 4 of the said section 78 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister" and by striking out "6 per cent instead of at 3 per cent" in the ninth line and inserting in lieu thereof "7 per cent instead of at 4 per cent". R.S.O. 1960, c. 73, s. 78, subs. 4, amended

**41.**—(1) Subsection 1 of section 79 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 79, subs. 1, amended

(2) Subsection 2 of the said section 79 is amended by striking out "Comptroller" in the second line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 79, subs. 2, amended

(3) Subsection 3 of the said section 79 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 79, subs. 3, amended

**42.**—(1) Subsection 1 of section 80 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the fourth line and in the seventh line and inserting in lieu thereof in each instance "Minister". R.S.O. 1960, c. 73, s. 80, subs. 1, amended



- R.S.O. 1960,  
c. 73, s. 80,  
subs. 2,  
amended (2) Subsection 2 of the said section 80 is amended by striking out "Treasurer" in the second line and inserting in lieu thereof "Minister".
- R.S.O. 1960,  
c. 73, s. 80,  
subs. 3,  
amended (3) Subsection 3 of the said section 80 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister" and by striking out "Comptroller" in the second line and inserting in lieu thereof "Minister".
- R.S.O. 1960,  
c. 73, s. 80,  
subs. 5,  
amended (4) Subsection 5 of the said section 80 is amended by striking out "Treasurer" in the fifth and sixth lines and inserting in lieu thereof "Minister".
- R.S.O. 1960,  
c. 73, s. 80,  
subs. 6,  
amended (5) Subsection 6 of the said section 80 is amended by striking out "Treasurer" in the second line and inserting in lieu thereof "Minister".
- R.S.O. 1960,  
c. 73, s. 81,  
subs. 1,  
amended **43.** Subsection 1 of section 81 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the first line and in the sixth line and inserting in lieu thereof in each instance "Minister".
- R.S.O. 1960,  
c. 73, s. 82,  
subs. 3,  
cl. 6,  
subcl. iv,  
amended **44.—**(1) Subclause iv of clause c of subsection 3 of section 82 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".
- R.S.O. 1960,  
c. 73, s. 82,  
subs. 4,  
amended (2) Subsection 4 of the said section 82 is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Minister".
- R.S.O. 1960,  
c. 73, s. 83,  
amended **45.** Section 83 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Minister".
- R.S.O. 1960,  
c. 73, s. 86,  
subs. 1,  
amended **46.—**(1) Subsection 1 of section 86 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".
- R.S.O. 1960,  
c. 73, s. 86,  
subs. 2,  
amended (2) Subsection 2 of the said section 86 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".
- R.S.O. 1960,  
c. 73, s. 86,  
subs. 3,  
amended (3) Subsection 3 of the said section 86 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".
- R.S.O. 1960,  
c. 73, s. 86,  
subs. 4,  
amended (4) Subsection 4 of the said section 86 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister" and by striking out "Office of the Comptroller of Revenue" in the fifth and sixth lines and inserting in lieu thereof "Department of Revenue".



(5) Subsection 5 of the said section 86 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 86, subs. 5, amended

(6) Subsection 6 of the said section 86 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister" and by striking out "Office of Comptroller of Revenue" in the third and fourth lines and inserting in lieu thereof "Department of Revenue". R.S.O. 1960, c. 73, s. 86, subs. 6, amended

(7) Subsection 7 of the said section 86 is amended by striking out "Office of Comptroller of Revenue" in the fourth line and inserting in lieu thereof "Department of Revenue" and by striking out "Treasurer" in the sixth line and in the seventh line and inserting in lieu thereof in each instance "Minister". R.S.O. 1960, c. 73, s. 86, subs. 7, amended

47.—(1) Subsection 1 of section 87 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the fifth line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 87, subs. 1, amended

(2) Subsection 2 of the said section 87 is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 87, subs. 2, amended

(3) Subsection 3 of the said section 87 is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 87, subs. 3, amended

48. Subsection 3 of section 90 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 90, subs. 3, amended

49.—(1) Subsection 1 of section 92 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the first line and in the sixth and seventh lines and inserting in lieu thereof in each instance "Minister". R.S.O. 1960, c. 73, s. 92, subs. 1, amended

(2) Subsection 2 of the said section 92 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 92, subs. 2, amended

(3) Subsection 3 of the said section 92 is amended by striking out "Treasurer" in the sixth line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 73, s. 92, subs. 3, amended

50.—(1) Clause *a* of subsection 1 of section 93 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the first line and in the fifth line and inserting in lieu thereof in each instance "Minister". R.S.O. 1960, c. 73, s. 93, subs. 1, cl. a, amended

R.S.O. 1960,  
c. 73, s. 93,  
subs. 1,  
cl. b,  
amended

(2) Clause *b* of subsection 1 of the said section 93 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 93,  
subs. 2,  
amended

(3) Subsection 2 of the said section 93 is amended by striking out "Treasurer" in the third line and in the seventh line and inserting in lieu thereof in each instance "Minister" and by striking out "Treasury Department" in the eighth line and inserting in lieu thereof "Department of Revenue".

R.S.O. 1960,  
c. 73, s. 95,  
subs. 1,  
amended

**51.** Subsection 1 of section 95 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the seventh line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 96,  
amended

**52.** Section 96 of *The Corporations Tax Act* is amended by striking out "Treasurer" in the fifth line and inserting in lieu thereof "Minister".

R.S.O. 1960,  
c. 73, s. 98,  
amended

**53.** Section 98 of *The Corporations Tax Act* is amended by adding at the end thereof "of Ontario".

R.S.O. 1960,  
c. 73, s. 99,  
cl. a,  
re-enacted

**54.** Clause *a* of section 99 of *The Corporations Tax Act* is repealed and the following substituted therefor:

- (a) authorizing or requiring the Deputy Minister of Revenue or any officer of the Department of Revenue to exercise any power or perform any duty conferred or imposed upon the Minister by this Act.

Application  
of Act

**55.**—(1) Section 10 and subsection 3 of section 21 apply with respect to fiscal years ending in 1966 and subsequent fiscal years.

Idem

(2) Subsection 3 of section 3, subsection 2 of section 11, subsection 4 of section 14 and subsection 3 of section 20 apply with respect to fiscal years ending in 1967 and subsequent fiscal years.

Idem

(3) Section 8, subsection 2 of section 12, subsection 2 of section 17 and section 18 apply with respect to fiscal years ending in 1968 and subsequent fiscal years.

Idem

(4) Subsections 1 and 2 of section 21 apply with respect to 1962 to 1966 fiscal years, inclusive.

Idem

(5) Subsection 5 of section 26 applies with respect to fiscal years ending after the 21st day of December, 1966.

Idem

(6) Clauses *a* and *b* of subsection 5 of section 31 of *The Corporations Tax Act*, as re-enacted by subsection 2 of section 14, apply with respect to amounts payable after the 23rd day of March, 1967.

(7) Subsection 7a of section 60 of *The Corporations Tax Act*,<sup>Idem</sup> as enacted by subsection 1 of section 29, applies with respect to property sold in the course of a business pursuant to an agreement entered into after the 21st day of December, 1966.

(8) Clause ea of section 17 of *The Corporations Tax Act*,<sup>Idem</sup> as enacted by section 7, is analogous to the provisions of subsections 5 and 6 of section 33 of such Act and shall apply to require a corporation to include in computing its income for the fiscal period ending in the calendar year 1967 the amount of any reserve established by it at the end of the immediately preceding fiscal year pursuant to the provisions of subsection 4 of section 33 of such Act, as those provisions stood before the coming into force of this Act.

(9) Clause ha of subsection 1 of section 22 of *The Corporations Tax Act*,<sup>Idem</sup> as enacted by subsection 2 of section 11, is analogous to the provisions of subsection 4 of section 33 of such Act and shall, with respect to the fiscal year ending in the calendar year 1967 and subsequent fiscal years, apply as it would have applied for those periods were it not for the repeal of subsection 4 of section 33 by section 15 of this Act.

(10) Where an amount has been included in computing the income of a corporation pursuant to the provisions of subsection 1 of section 33 of *The Corporations Tax Act* and where, pursuant to the provisions of subsection 2 of that section, the income of the corporation for the fiscal year in which the vessel is sold is required to be reduced, those provisions shall continue to apply with respect to vessels disposed of prior to the 1st day of January, 1966.

(11) Subsections 1 and 2 of section 53 of *The Corporations Tax Act*,<sup>Idem</sup> as re-enacted by section 25, apply with respect to fiscal years ending in 1966 and subsequent fiscal years, and subsection 3 of such section 53, as re-enacted by section 25, applies with respect to amounts paid after the 21st day of December, 1966.

**56.**—(1) This Act, except section 2, subsections 1 and 5 of section 3, section 4, subsection 1 of section 11, subsections 1 and 5 of section 14, section 15, subsection 1 of section 20, subsection 2 of section 26, subsection 2 of section 28, subsection 2 of section 29, section 37 and subsections 3 and 4 of section 40, comes into force on a day to be named by the Lieutenant Governor by his proclamation.<sup>Commence-</sup>

(2) Subsection 2 of section 26 shall be deemed to have come into force on the 21st day of December, 1966.<sup>Idem</sup>

Idem

(3) Subsection 1 of section 11, subsections 1 and 5 of section 14, section 15, subsection 1 of section 20 and subsection 2 of section 28 shall be deemed to have come into force on the 23rd day of March, 1967.

Idem

(4) Section 2, subsections 1 and 5 of section 3, section 4, subsection 2 of section 29, section 37 and subsections 3 and 4 of section 40 come into force on the 1st day of July, 1968.

Short title

**57.** This Act may be cited as *The Corporations Tax Amendment Act, 1968*.

## CHAPTER 21

**An Act to amend The County Courts Act**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 15 of *The County Courts Act* is repealed. R.S.O. 1960,  
c. 76, s. 15,  
repealed
2. This Act shall be deemed to have come into force on the 1st day of January, 1968. Commence-  
ment
3. This Act may be cited as *The County Courts Amendment Act, 1968*. Short title





## CHAPTER 22

**An Act to amend The County Judges Act**

*Assented to, except sections 2, 3 and 4, March 28th, 1968*

*Sections 2, 3 and 4 assented to May 30th, 1968*

*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The County Judges Act*, as amended by R.S.O. 1960, c. 77, s. 2, re-enacted section 1 of *The County Judges Amendment Act, 1965* and section 1 of *The County Judges Amendment Act, 1967*, is repealed and the following substituted therefor:

- 2.—(1) A junior judge may be appointed for the county Junior judges court of each of the counties of Carleton, Lincoln and Welland and for the district court of each of the districts of Cochrane, Sudbury and Thunder Bay.
- (2) Two junior judges may be appointed for the county Idem court of each of the counties of Essex and Wentworth.
- (3) Three junior judges may be appointed for the Idem county court of the county of Middlesex.
- (4) Ten junior judges may be appointed for the county Idem court of the county of York.

2.—(1) Subsection 5 of section 13 of *The County Judges Act*, as re-enacted by subsection 1 of section 8 of *The County Judges Amendment Act, 1961-62*, is amended by striking out R.S.O. 1960, c. 77, s. 13, subs. 5 (1961-62, c. 25, s. 8, subs. 1), amended "treasurer of the county" in the fourth and fifth lines and inserting in lieu thereof "Treasurer of Ontario", so that the subsection shall read as follows:

- (5) Where a court reporter is appointed at a salary and is expressly prohibited from taking for his own use fees for transcriptions, he shall collect the fees for such transcriptions and pay them over to the Treasurer of Ontario. Idem

(2) Subsection 7 of the said section 13, as re-enacted by subsection 1 of section 8 of *The County Judges Amendment Act, 1961-62*, is repealed. R.S.O. 1960, c. 77, s. 13, subs. 7 (1961-62, c. 25, s. 8, subs. 1), repealed

R.S.O. 1960,  
c. 77, s. 13,  
subs. 8  
(1961-62,  
c. 25, s. 8,  
subs. 1),  
repealed

(3) Subsection 8 of the said section 13, as re-enacted by subsection 1 of section 8 of *The County Judges Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,  
c. 77, s. 13,  
subss. 9, 10,  
repealed

(4) Subsections 9 and 10 of the said section 13 are repealed.

R.S.O. 1960,  
c. 77, s. 13,  
subs. 11  
(1961-62,  
c. 25, s. 8,  
subs. 2),  
repealed

(5) Subsection 11 of the said section 13, as enacted by subsection 2 of section 8 of *The County Judges Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,  
c. 77, s. 14,  
repealed

**3.** Section 14 of *The County Judges Act* is repealed.

R.S.O. 1960,  
c. 77, s. 22,  
repealed

**4.** Section 22 of *The County Judges Act* is repealed.

Commence-  
ment

**5.**—(1) This Act, except sections 2, 3 and 4, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 2, 3 and 4 shall be deemed to have come into force on the 1st day of January, 1968.

Short title

**6.** This Act may be cited as *The County Judges Amendment Act, 1968*.

## CHAPTER 23

**An Act to amend The Crown Attorneys Act**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 8 and 9 of *The Crown Attorneys Act* are repealed. R.S.O. 1960,  
c. 82, ss. 8, 9,  
repealed
2. This Act shall be deemed to have come into force on the 1st day of January, 1968. Commence-  
ment
3. This Act may be cited as *The Crown Attorneys Amend-ment Act, 1968*. Short title





## CHAPTER 24

## An Act to amend The Crown Timber Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 6 of *The Crown Timber Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 83, s. 6,  
subs. 2,  
re-enacted

(2) Every licensee shall pay annually a forest protection charge and a management charge in respect of the productive lands comprised in the licensed area.

Forest  
protection  
and man-  
agement  
charges

2. Subsection 2 of section 14 of *The Crown Timber Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 83, s. 14,  
subs. 2,  
re-enacted

(2) The Lieutenant Governor in Council, after giving thirty days notice of his intention so to do by publication in *The Ontario Gazette*, may suspend the operation of subsection 1 as to any kind or class of timber that he designates and as to any area that he defines and for such period and upon such other terms and conditions as he deems proper.

Power to  
suspend  
operation  
of subs. 1

3. Section 22 of *The Crown Timber Act* is amended by inserting after "has" in the seventh line "not".

R.S.O. 1960,  
c. 83, s. 22,  
amended

4. Section 45 of *The Crown Timber Act*, as amended by section 10 of *The Crown Timber Amendment Act, 1964*, is further amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 83, s. 45,  
amended

(3) The granting of a licence under subsection 1 does not imply any obligation on the part of the Minister to make Crown timber available for the mill.

Effect of  
licence

5. Subsection 1 of section 50 of *The Crown Timber Act*, as re-enacted by section 10 of *The Crown Timber Amendment Act, 1966*, is amended by striking out "ground rent and fire protection" in the eighth line and inserting in lieu thereof "forest protection charge or management", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 83, s. 50,  
subs. 1  
(1966,  
c. 36, s. 10),  
amended

Regula-  
tions re  
Crown dues

- (1) Notwithstanding anything in this Act or any general or special Act or in any order in council or regulation or in any agreement or licence made or granted under any of them, the Lieutenant Governor in Council may make regulations increasing or decreasing the Crown dues payable in respect of any kind or class of timber or increasing or decreasing the annual forest protection charge or management charge payable in respect of licensed areas, and any such regulation shall be made to take effect on the 1st day of April immediately preceding or at such subsequent time as is specified in the regulation.

R.S.O. 1960,  
c. 83, s. 52,  
cl. c,  
re-enacted

6. Clause *c* of section 52 of *The Crown Timber Act* is repealed and the following substituted therefor:

- (c) fixing the amounts of forest protection charge, management charge and other charges to be paid in respect of licensed areas.

Commence-  
ment

- 7.—(1) This Act, except sections 1, 5 and 6, comes into force on the day it receives Royal Assent.

Idem

- (2) Sections 1, 5 and 6 come into force on the 1st day of April, 1969.

Short title

8. This Act may be cited as *The Crown Timber Amendment Act, 1968*.

## CHAPTER 25

## An Act to amend The Crown Witnesses Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 3 of *The Crown Witnesses Act* is amended by R.S.O. 1960, c. 84, s. 3, amended striking out "Attorney General" in the first line and inserting in lieu thereof "Director of Public Prosecutions", so that the section shall read as follows:

3. The Director of Public Prosecutions may increase Special fees the sum ordered to be paid so that the witness will be reasonably compensated for his attendance at the trial and he may order that a special fee be paid to an expert witness.

2. Sections 5, 6, 7 and 8 of *The Crown Witnesses Act* are R.S.O. 1960, c. 84, ss. 5-8, repealed repealed.

3. Section 9 of *The Crown Witnesses Act* is amended by R.S.O. 1960, c. 84, s. 9, amended striking out "to witnesses attending a sitting of any court held in a provisional judicial district" in the third and fourth lines, so that the section shall read as follows:

9. The fees and allowances authorized by this Act Idem shall be paid out of the moneys appropriated by the Legislature for the administration of justice.

4. Section 10 of *The Crown Witnesses Act* is repealed. R.S.O. 1960, c. 84, s. 10, repealed

5. This Act shall be deemed to have come into force on Commencement the 1st day of January, 1968.

6. This Act may be cited as *The Crown Witnesses Amend-Short title ment Act, 1968.*



## CHAPTER 26

## An Act to amend The Department of Agriculture and Food Act

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of subsection 1 of section 5*b* of *The Department of Agriculture and Food Act*, as enacted by section 1 of *The Department of Agriculture Amendment Act, 1965*, is repealed. R.S.O. 1960,  
c. 92, s. 5*b*  
(1965,  
c. 27, s. 1),  
subs. 1,  
cl. *a*,  
repealed

(2) Clause *b* of subsection 1 of the said section 5*b* is amended by inserting after "infestation" in the fourth line "in any year prior to 1968", so that the clause shall read as follows: R.S.O. 1960,  
c. 92, s. 5*b*  
(1965,  
c. 27, s. 1),  
subs. 1,  
cl. *b*,  
amended

(*b*) the principal sum of \$4,500 together with interest thereon made to farmers who incur damage occasioned by drought or army worm infestation in any year prior to 1968 for the purpose of purchasing hay and grain to feed live stock and poultry.

(3) Clause *c* of subsection 1 of the said section 5*b*, as enacted by subsection 1 of section 7 of *The Department of Agriculture Amendment Act, 1966*, is amended by inserting after "year" in the third line "prior to 1968", so that the clause shall read as follows: R.S.O. 1960,  
c. 92, s. 5*b*,  
subs. 1,  
cl. *c*  
(1966,  
c. 39, s. 7,  
subs. 1),  
amended

(*c*) the principal sum of \$1,000 together with interest thereon made to farmers who incur crop losses occasioned by adverse weather in any year prior to 1968 for the purpose of purchasing seed, plants, insecticide materials, herbicide materials, agricultural limestone or fertilizer in the next year.

(4) Clause *d* of subsection 1 of the said section 5*b*, as enacted by subsection 1 of section 1 of *The Department of Agriculture and Food Amendment Act, 1967*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 92, s. 5*b*,  
subs. 1,  
cl. *d*  
(1967,  
c. 19, s. 1,  
subs. 1),  
re-enacted

(*d*)



(d) the principal sum of \$5,000 together with interest thereon made to farmers who incur crop losses occasioned by adverse weather,

(i) in 1966 for the purpose of paying mortgage payments, taxes or production operating expenses in 1966 or 1967, and

(ii) in 1967 for the purpose of paying mortgage payments, taxes or production operating expenses in 1967 or 1968.

R.S.O. 1960,  
c. 92, s. 5b  
(1965,  
c. 27, s. 1),  
amended

(5) The said section 5b, as amended by section 7 of *The Department of Agriculture Amendment Act, 1966* and section 1 of *The Department of Agriculture and Food Amendment Act, 1967*, is further amended by adding thereto the following subsections:

Payment  
of loss  
sustained

(2a) Where a guarantee is given under subsection 1, the Lieutenant Governor in Council may, subject to such terms and conditions as he may prescribe, authorize the payment by the Province of Ontario of the whole or any part of the loss sustained by a person, to whom a guarantee is given, in collecting or attempting to collect moneys payable under a loan that is made pursuant to the guarantee and that is in default.

Payment  
of loss  
limited

(2b) Payment of loss under subsection 2a is limited to,

(a) fees, disbursements, allowances or charges owing by the person, to whom the guarantee is given, to his solicitor respecting matters for which costs may be taxed under the Rules of Practice of the Supreme Court of Ontario; and

(b) expenses, other than those referred to in clause a, that are reasonably and necessarily incurred in the course of collecting or attempting to collect moneys payable under a loan that is made pursuant to the guarantee and that is in default.

Moneys

**2.** Payments of loss made under subsection 2a of section 5b of *The Department of Agriculture and Food Act*, as enacted by subsection 5 of section 1 of this Act, during the fiscal year ending on the 31st day of March, 1969 shall be paid out of the Consolidated Revenue Fund, and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

**3.**—(1) This Act, except subsection 4 of section 1, comes <sup>Commence-</sup><sub>ment</sub> into force on the day it receives Royal Assent.

(2) Subsection 4 of section 1 shall be deemed to have come <sup>Idem</sup> into force on the 1st day of September, 1967.

**4.** This Act may be cited as *The Department of Agriculture* <sup>Short title</sup> *and Food Amendment Act, 1968.*



CHAPTER 27

The Department of Correctional Services Act, 1968

Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-  
tation

- (a) "Board" means the Board of Parole;
- (b) "correctional institution" means a correctional institution established or continued under section 8 and does not include a training school established or authorized under *The Training Schools Act, 1965* <sup>1965, c. 132 R.S.O. 1960, c. 249</sup> or a lock-up established under section 372 of *The Municipal Act*;
- (c) "Department" means the Department of Correctional Services;
- (d) "Deputy Minister" means the Deputy Minister of Correctional Services;
- (e) "Minister" means the Minister of Correctional Services;
- (f) "regulations" means the regulations made under this Act. *New.*

2.—(1) The department of the public service heretofore known as the Department of Reform Institutions is continued under the name "Department of Correctional Services". <sup>Department of Reform Institutions continued as Department of Correctional Services</sup>  
R.S.O. 1960, c. 101, s. 2 (1), *amended.*

(2) The Minister shall preside over and have charge of the <sup>Minister</sup> Department. R.S.O. 1960, c. 101, s. 2 (2).

3. The Minister is responsible for the administration of this Act and the Acts that are assigned or transferred to him by the Legislature or by the Lieutenant Governor in Council. <sup>Duties of Minister</sup>  
R.S.O. 1960, c. 101, s. 3.

Reference  
to Minister  
or Depart-  
ment in  
other Acts

4. Any mention of or reference to the Minister of Reform Institutions or the Department of Reform Institutions in any Act or regulation shall be deemed to be a mention of or reference to the Minister of Correctional Services or the Department of Correctional Services, respectively. *New.*

Expenses

5.—(1) The expenses of the Department in carrying out its objects shall be paid out of such moneys as are appropriated therefor by the Legislature. R.S.O. 1960, c. 101, s. 4.

Reimburse-  
ment re  
jails  
1968, c. 1

(2) Every municipality that made expenditures for the maintenance and operation of jails after the 31st day of December, 1967 and before the date when *The Administration of Justice Act, 1968* receives Royal Assent shall be reimbursed therefor out of the moneys appropriated by the Legislature for the objects of the Department. *New.*

Delegation  
of  
Minister's  
powers

6. The Minister may delegate any of the powers relating to the operation of the Department conferred upon him by or under this or any other Act to the Deputy Minister or any other official of the Department designated by the Minister. *New.*

Contracts

7. All dealings and transactions respecting any correctional institution including all contracts for goods, wares or merchandise necessary for the maintenance and operation of the institution or for the sale of goods prepared, produced or manufactured at a correctional institution shall be entered into and carried out by the Minister or an official of the Department designated by him, on behalf of Her Majesty. R.S.O. 1960, c. 347, s. 23, *amended.*

Correctional  
institutions

8.—(1) The jails, reformatories, industrial farms and regional detention centres existing immediately before this Act comes into force continue to exist as correctional institutions.

Idem

(2) The Lieutenant Governor in Council may establish or discontinue such correctional institutions as he considers necessary. *New.*

Sentence to  
correctional  
institution

9.—(1) The court before which any person is convicted under any Act of the Legislature of an offence punishable by imprisonment may sentence such person to a correctional institution. R.S.O. 1960, c. 195, s. 2, *amended.*

Female  
offenders

(2) Subject to section 11, the court before which any female person is convicted under any Act of the Legislature of an offence punishable by imprisonment may sentence such female person for an indefinite period not exceeding two years



in a reformatory designated in the regulations as one to be used for the treatment, training and confinement of female offenders only. R.S.O. 1960, c. 15, s. 7 (1), *amended*.

(3) Subject to section 11, the court before which any male person is convicted under any Act of the Legislature of an offence punishable by imprisonment may sentence him to imprisonment in a reformatory for a period of not less than three months, and for an indeterminate period thereafter of not more than two years less one day. R.S.O. 1960, c. 347, s. 7; s. 17, *amended*. <sup>Reformatories</sup>

(4) Where a person is sentenced to imprisonment in a reformatory under this section, the person may be detained in any other correctional institution or in the custody of a provincial bailiff for the purpose of conveyance to the correctional institution to which he or she was sentenced. *New*. <sup>Custody during conveyance</sup>

**10.**—(1) There shall be a superintendent for each correctional institution who shall be an official of the Department designated by the Minister and who is responsible for the administration of the institution. *New*. <sup>Superintendent</sup>

(2) The superintendent of a correctional institution shall receive into his institution every person delivered to his institution under lawful authority for detention therein and is responsible for his custody and control until the term of his detention is completed or until he is by warrant under section 11 transferred therefrom or otherwise discharged in due course of law. R.S.O. 1960, c. 347, s. 10, *amended*. <sup>Duties of superintendent</sup>

**11.** The Minister may designate in writing one or more officials of the Department who shall control and direct admissions to correctional institutions and who from time to time by warrant may remove or transfer any person detained in a correctional institution from one correctional institution to another. R.S.O. 1960, c. 291, s. 9 (1), *amended*. <sup>Admissions and transfers</sup>

**12.**—(1) The Minister may designate in writing officials of the Department as inspectors. R.S.O. 1960, c. 291, s. 2, *amended*. <sup>Inspectors</sup>

(2) Each correctional institution shall be regularly inspected by an inspector who shall inquire into all aspects of its operation and shall provide the Minister or an official of the Department designated by the Minister for the purpose with a written report in respect of each correctional institution inspected by him. *New*. <sup>Regular inspections</sup>

Ministerial  
inquiry

**13.**—(1) The Minister may appoint any person to investigate and inquire into any matter connected with or affecting the administration and operation of the Department.

## Report

(2) The person who conducts an inquiry under subsection 1 shall report his findings in writing to the Minister. *New.*

Use of  
correctional  
institutions  
as lock-ups

**14.** Where a municipality is unable to establish and maintain a lock-up, or where it is considered advisable for the welfare of a person in custody or for public safety, the Minister may designate a correctional institution that may be used by the municipality as a lock-up and the municipality shall pay to the Treasurer of Ontario annually such rate per day for persons in custody in the lock-up as is fixed by the Minister for the year. R.S.O. 1960, c. 249, s. 374, *amended.*

Application  
of sections  
16 to 35  
R.S.O. 1952,  
c. 217

**15.** Sections 16 to 35 are subject to the *Prisons and Reformatories Act* (Canada) in respect of persons detained in a correctional institution for an offence against the laws of Canada. *New.*

Provincial  
bailiffs

**16.**—(1) The Lieutenant Governor in Council may appoint provincial bailiffs who may convey any person in custody in any correctional institution to another correctional institution in which the person is lawfully directed to be confined. R.S.O. 1960, c. 195, s. 13 (1), *amended.*

Warrants of  
removal

(2) A provincial bailiff may convey a person from one correctional institution to another without further authority than a warrant of removal signed by an official of the Department designated under section 11, which warrant shall be sufficient authority for a superintendent to deliver over the person named therein.

Powers of  
provincial  
bailiff

(3) In the conveyance of a person from one correctional institution to another, a provincial bailiff has the same powers as a constable. R.S.O. 1960, c. 195, s. 13 (3, 4), *amended.*

Hospital  
treatment

**17.**—(1) Where a person detained in a correctional institution requires hospital treatment that cannot be supplied at the institution, the superintendent of the institution shall arrange for the person to receive such treatment at a public hospital and shall report the fact to an official of the Department designated under section 11. R.S.O. 1960, c. 291, s. 9 (3), *amended.*

Idem  
1967, c. 51

(2) Where a person detained in a correctional institution requires hospitalization in a psychiatric facility under *The Mental Health Act, 1967*, the superintendent of the institution

shall

shall arrange for the person to be so hospitalized, and shall report the fact to an official of the Department designated under section 11, but where the superintendent is unable to have the person hospitalized, he shall notify an official designated under section 11, who shall then make arrangements to have the person hospitalized. 1967, c. 71, s. 1, *amended*.

(3) The charges for the hospital treatment referred to in subsections 1 and 2 shall be paid by the person receiving the treatment unless he is unable to provide for payment, in which case the charges shall be paid by the Department in accordance with the rates prescribed for payments in respect of indigent patients under *The Public Hospitals Act*. R.S.O. 1960, c. 322, s. 322. <sup>Payment</sup> *amended*.

**18.** The Lieutenant Governor in Council from time to time may authorize the employment of any of the persons sentenced to imprisonment and detained in a correctional institution to do any specific work or duty for public purposes beyond the limits of the institution. R.S.O. 1960, c. 195, s. 14 (1); c. 347, s. 18 (1), *amended*. <sup>Employment outside institution</sup>

**19.**—(1) Where, in the opinion of an official of the Department designated by the Lieutenant Governor in Council for the purpose, it is necessary or desirable that an inmate be temporarily absent from a correctional institution for medical or humanitarian reasons or to assist him in his rehabilitation, the temporary absence of the inmate may be authorized by such official on such terms and conditions as he specifies. <sup>Temporary absence</sup>

(2) Any inmate temporarily absent under subsection 1 shall comply with such terms and conditions as are specified, and shall return to the correctional institution at the expiration of the period for which he is permitted to be at large, and if he fails to so return or to comply with the terms and conditions prescribed, he shall be deemed to be unlawfully at large. *New*. <sup>Idem</sup>

**20.** The Lieutenant Governor in Council may establish a vocational training programme under which persons detained in a correctional institution may be granted the privilege of continuing to work at their regular employment, obtaining new employment, attending academic institutions, or participating in any other program that the Lieutenant Governor in Council considers advisable in order that such persons may have a better opportunity for rehabilitation. *New*. <sup>Vocational training programme</sup>

**21.**—(1) Every person detained in a correctional institution shall be granted statutory and earned remission of his <sup>Remission</sup>

sentence and is subject to the forfeitures of such remission equivalent to that provided for in the *Prisons and Reformatories Act* (Canada).

Restoration  
of forfeited  
remission

(2) Where a person detained in a correctional institution has forfeited the whole or any part of his statutory remission, an official of the Department designated by the Lieutenant Governor in Council for the purpose may, where he is satisfied that it is in the interest of the inmate's rehabilitation, remit the whole or any part of such forfeiture. *New.*

Employees  
not to be  
interested  
in contracts

**22.**—(1) No official or employee of the Department shall, either in his own name or in the name of or in connection with or as the agent of any other person, provide, furnish or supply any materials, goods or provisions for the use of a correctional institution, or have an interest, directly or indirectly, in furnishing, supplying or transporting the same or in any contract relating thereto. R.S.O. 1960, c. 15, s. 13 (1); c. 347, s. 12 (1), *amended.*

Offence

(2) Every person who contravenes any of the provisions of subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$5,000. R.S.O. 1960, c. 15, s. 13 (2); c. 347, s. 12 (2), *amended.*

Employees  
not to trade,  
etc., with  
persons in  
custody

**23.** No official or employee of the Department shall buy from or sell to any person in custody in a correctional institution anything whatsoever or take or receive to his own use or for the use of any other person, any fee or gratuity from any person in custody in a correctional institution or from any visitor thereto or from any other person in respect of a person in custody, or employ any person in custody in working for him. R.S.O. 1960, c. 15, s. 14; c. 347, s. 13, *amended.*

Board of  
Parole  
R.S.O. 1960,  
c. 286

**24.** The Board of Parole established under *The Parole Act* is continued and shall be composed of not more than seven persons appointed by the Lieutenant Governor in Council, of whom at least five shall be full-time members. R.S.O. 1960, c. 286, s. 2, *amended.*

Chairman

**25.**—(1) The Lieutenant Governor in Council may designate one of the members of the Board to be chairman thereof.

Quorum

(2) Three members of the Board constitute a quorum. R.S.O. 1960, c. 286, s. 3 (1-2).

Staff

**26.**—(1) Such officers and employees as are deemed necessary for purposes of the Board shall be appointed under *The Public Service Act, 1961-62.* R.S.O. 1960, c. 286, s. 4, *amended.*

1961-62,  
c. 121



(2) The members of the Board who are not full-time members shall serve without salary but may be paid such expenses and allowances for attendance at Board meetings and for other attendances in connection with the business of the Board as are determined by the Lieutenant Governor in Council. R.S.O. 1960, c. 286, s. 5 (2), *amended*.

**27.** Subject to the regulations, the Board may order the release on parole of any person detained in a correctional institution,

(a) convicted of an offence against a statute of Ontario or against a municipal by-law and sentenced to an indeterminate sentence; or

(b) referred to in section 43 of the *Prisons and Reformatories Act* (Canada) and sentenced to an indeterminate sentence,

to be at large during the indeterminate portion of his sentence. R.S.O. 1960, c. 286, s. 6, *amended*.

**28.** Where parole is granted, the term of parole shall include any portion of statutory remission standing to the credit of the parolee when he is released, but shall not include any period of earned remission standing to his credit at that time. *New*.

**29.** When required by the Board, it is the duty of every person having information relevant to the suitability of a person to be paroled to submit such information to the Board in writing in the form prescribed by the regulations. R.S.O. 1960, c. 286, s. 9, *amended*.

**30.**—(1) Whenever a member of the Board, or such other person as is designated by the Board for the purpose, believes on reasonable and probable grounds that a person on parole has failed to observe any of the conditions of his parole, he may authorize the arrest and return to a correctional institution of the person by a warrant in writing signed by him.

(2) Where a person on parole has been returned to a correctional institution under subsection 1, the Board shall review the parole as soon as possible thereafter, and shall decide either to terminate the parole or to release the person and allow him to continue on parole. *New*.

**31.** Whenever a person while on parole is convicted of an indictable offence he shall undergo a term of imprisonment equal to the portion of the term to which he was originally

sentenced



sentenced that remained unexpired at the time of the offence, in addition to any term of imprisonment to which he may be sentenced. R.S.O. 1960, c. 286, s. 7, *amended*.

Annual  
report

**32.** The Board shall in each year, on or before the 30th day of September, make a report in writing to the Lieutenant Governor in Council of the history and proceedings of the Board during the twelve-month period ending on the 31st day of March of such year. R.S.O. 1960, c. 286, s. 10.

Interpre-  
tation

**33.** Nothing in this Act shall be construed as affecting or impairing or as intending or purporting to affect or impair the powers of the Governor General of Canada or the Lieutenant Governor of Ontario to grant a reprieve, pardon or commutation of sentence in any case. R.S.O. 1960, c. 286, s. 11.

Regulations

**34.—(1)** The Lieutenant Governor in Council may make regulations,

(a) respecting the operation and management of correctional institutions or any class thereof, and respecting the classification, treatment, training, employment, discipline and control of persons detained therein;

R.S.C. 1952,  
c. 217

(b) designating correctional institutions as reformatories for the purposes of the *Prisons and Reformatories Act* (Canada);

(c) establishing and governing a vocational training program referred to in section 20;

(d) prescribing conditions under which a person may be paroled;

(e) prescribing procedures of the Board for the performance of its functions;

(f) prescribing forms for the purposes of this Act and providing for their use. R.S.O. 1960, c. 286, s. 12 (1), *amended*. R.S.O. 1960, c. 291, s. 4, *amended*.

Application  
of regula-  
tions to  
R.S.C. 1952,  
c. 217

(2) Such of the regulations made under clause *d*, *e* or *f* of subsection 1 as are approved by the Minister of Justice (Canada) apply in respect of persons in custody referred to in section 43 of the *Prisons and Reformatories Act* (Canada). R.S.O. 1960, c. 286, s. 12 (2), *amended*.

Repeal

**35.** The following Acts are repealed:

R.S.O. 1960,  
c. 15;

1. *The Andrew Mercer Reformatory Act*.

2. *The Department of Reform Institutions Act.* R.S.O. 1960,  
c. 101;
3. *The Industrial Farms Act.* R.S.O. 1960,  
c. 185;
4. *The Industrial Farms Amendment Act, 1964.* 1964, c. 44;
5. *The Industrial Farms Amendment Act, 1966.* 1966, c. 70;
6. *The Jails Act.* R.S.O. 1960,  
c. 195;
7. *The Jails Amendment Act, 1961-62.* 1961-62,  
c. 64;
8. *The Jails Amendment Act, 1966.* 1966, c. 72;
9. *The Parole Act.* R.S.O. 1960,  
c. 286;
10. *The Parole Amendment Act, 1966.* 1966, c. 110;
11. *The Penal and Reform Institutions Inspection Act.* R.S.O. 1960,  
c. 291;
12. *The Penal and Reform Institutions Inspection Amend- 1964, c. 87;*  
*ment Act, 1964.*
13. *The Penal and Reform Institutions Inspection Amend- 1966, c. 112,*  
*ment Act, 1966.*
14. *The Penal and Reform Institutions Inspection Amend- 1967, c. 71;*  
*ment Act, 1967.*
15. *The Reformatories Act.* R.S.O. 1960,  
c. 347;
16. *The Reformatories Amendment Act, 1964.* 1964, c. 101;
17. *The Regional Detention Centres Act, 1965.* 1965, c. 115;
18. *The Regional Detention Centres Amendment Act, 1967.* 1967, c. 87

**36.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-  
ment

**37.** This Act may be cited as *The Department of Correctional Services Act, 1968.* Short title



## CHAPTER 28

## An Act to amend The Department of Education Act

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subclause ii of clause *c* of subsection 1 of section 11 of *The Department of Education Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 94, s. 11,  
subs. 1,  
cl. *c*,  
subcl. ii,  
re-enacted

- (ii) makes a declaration that he intends to become a Canadian citizen when he is eligible under the *Canadian Citizenship Act* (Canada).

R.S.C. 1952,  
c. 33

2.—(1) Subsection 1 of section 12 of *The Department of Education Act* is amended by adding thereto the following paragraph:

R.S.O. 1960,  
c. 94, s. 12,  
subs. 1,  
amended

- 20a. prescribing the language or languages in which any subject or subjects shall be taught in any grade or grades in any schools or classes.

language of  
instruction

(2) Paragraph 30 of subsection 1 of the said section 12, as re-enacted by subsection 1 of section 3 of *The Department of Education Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 94, s. 12,  
subs. 1,  
par. 30  
(1964,  
c. 20, s. 3,  
subs. 1),  
re-enacted

30. governing the operation of schools for trainable retarded children.

schools for  
trainable  
retarded  
children

(3) Paragraph 31 of subsection 1 of the said section 12 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 94, s. 12,  
subs. 1,  
par. 31,  
re-enacted

31. prescribing the powers and duties of boards with respect to the appointment and duties of school attendance counsellors, and providing for the giving of notices and the making of returns in connection with school attendance.

attendance  
counsellors

R.S.O. 1960,  
c. 94, s. 12,  
subs. 1,  
par. 34,  
amended

(4) Paragraph 34 of subsection 1 of the said section 12 is amended by adding at the end thereof "and schools for trainable retarded children", so that the paragraph shall read as follows:

trans-  
portation

34. governing the transportation of pupils to and from elementary and secondary schools and schools for trainable retarded children.

Commence-  
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Department of Education Amendment Act, 1968*.



## CHAPTER 29

# An Act to establish the Department of Revenue

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

(a) "Department" means the Department of Revenue;

(b) "Minister" means the Minister of Revenue.

**2.** There shall be a department of the public service to be known as the Department of Revenue.

Department  
established

**3.** The Minister shall preside over and have charge of the Department.

Minister to  
have charge

**4.** The Minister is responsible for the administration of this Act, any Acts that are assigned to him by the Legislature or by the Lieutenant Governor in Council, and the following Acts:

Minister's  
Acts

1. *The Corporations Tax Act.*

R.S.O. 1960,  
c. 73

2. *The Gasoline Tax Act.*

R.S.O. 1960,  
c. 162

3. *The Hospitals Tax Act.*

R.S.O. 1960,  
c. 178

4. *The Income Tax Act, 1961-62.*

1961-62,  
c. 60

5. *The Land Transfer Tax Act.*

R.S.O. 1960,  
c. 205

6. *The Logging Tax Act.*

R.S.O. 1960,  
c. 224

7. *The Motor Vehicle Fuel Tax Act.*

R.S.O. 1960,  
c. 248

8. *The Motor Vehicle Fuel Tax Act, 1965.*

1965, c. 76

R.S.O. 1960,  
c. 341

9. *The Race Tracks Tax Act.*

1960-61,  
c. 91

10. *The Retail Sales Tax Act, 1960-61.*

R.S.O. 1960,  
c. 364

11. *The Security Transfer Tax Act.*

R.S.O. 1960,  
c. 386

12. *The Succession Duty Act.*

1965, c. 130

13. *The Tobacco Tax Act, 1965.*

Reference  
to Treasurer  
deemed  
Minister

5.—(1) A reference to the Treasurer in any Act mentioned in section 4 or in any regulation made under such Act shall be deemed to be a reference to the Minister, except where inconsistent, so long as the Minister administers such Act.

References  
to Deputy,  
etc.

(2) In any Act mentioned in section 4 or in any regulation made under such Act, a reference to the Deputy Provincial Treasurer shall be deemed to be a reference to the Deputy Minister of Revenue, a reference to any officer of the Treasury Department shall be deemed to be a reference to any officer of the Department of Revenue and a reference to the Treasury Department shall be deemed to be a reference to the Department of Revenue, so long as the Minister administers such Act.

Deputy  
Minister

6.—(1) The Lieutenant Governor in Council shall appoint a Deputy Minister of Revenue as deputy head of the Department.

Deputy  
Minister's  
duties

(2) Under the direction of the Minister, the Deputy Minister of Revenue shall perform such duties as the Minister may assign to him.

Officers  
and staff  
1961-62,  
c. 121

7. There shall be appointed pursuant to *The Public Service Act, 1961-62* such other officers, clerks and servants as the Minister deems necessary for the proper conduct of the business of the Department.

Seal

8.—(1) The Lieutenant Governor in Council may authorize a seal for the Minister.

Idem

(2) Such seal may be reproduced by engraving, lithographing, printing or any other method of mechanical reproduction, and when so reproduced has the same force and effect as if manually affixed.

Interpre-  
tation

9.—(1) In this section,

(a) "penalty" includes any forfeiture or pecuniary penalty imposed or authorized to be imposed by any Act of the Legislature for any contravention

of the laws relating to the collection of the revenue or to the management of any public work producing toll or revenue, notwithstanding that part of such forfeiture or penalty is payable to any other person;

- (b) "tax" includes any tax, impost, duty or toll payable to Her Majesty, imposed or authorized to be imposed by any Act of the Legislature.

(2) Notwithstanding any other Act, the Lieutenant Governor in Council, on the recommendation of the Minister, may, if he considers it in the public interest, remit any tax, fee or penalty. Remission of taxes, etc.

(3) A remission pursuant to this section may be total or partial, conditional or unconditional, and may be granted, Idem, may be partial, etc.

- (a) before, after or pending any suit or proceeding for the recovery of the tax, fee or penalty in respect of which it is granted;

- (b) before or after any payment thereof has been made or enforced by process or execution; or

- (c) in the case of a tax or fee, in any particular case or class of case and before the liability therefor arises.

(4) A remission under this section may be granted, Idem, form of

- (a) by forbearing to institute a suit or proceeding for the recovery of the tax, fee or penalty in respect of which the remission is granted;

- (b) by delaying, staying or discontinuing any suit or proceeding already instituted;

- (c) for forbearing to enforce, staying or abandoning any execution or process upon any judgment;

- (d) by the entry of satisfaction upon any judgment; or

- (e) by repaying any sum of money paid to or recovered by the Minister for the tax, fee or penalty.

(5) Where a remission is granted under this section subject to a condition and the condition is not performed, it may be enforced or all proceedings may be had as if there had been no remission. Idem, conditional

(6) A conditional remission, upon performance of the condition, and an unconditional remission, have effect as if the remission was made after the tax, fee or penalty in respect of which it was granted had been sued for and recovered. Effect of conditional remission

**Payments** (7) Remissions granted under this or any other Act may be paid out of the Consolidated Revenue Fund.

**Report** (8) A statement of each remission of \$1,000 or more granted under this section shall be reported to the Legislature in the public accounts.

**Remission has effect of pardon** (9) Where a penalty imposed by any law relating to the revenue has been wholly and unconditionally remitted under this section, the remission has the effect of a pardon for the offence for which the penalty was incurred, and thereafter the offence has no legal effect prejudicial to the person to whom the remission was granted.

**Regulations** **10.** The Lieutenant Governor in Council may make regulations,

(a) authorizing or requiring the Deputy Minister of Revenue or any officer of the Department to exercise any power or perform any duty conferred or imposed upon the Minister by this or any Act;

(b) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

**Interpretation** **11.—(1)** In this section “Treasurer of Ontario” means the Treasurer of Ontario who presided over and administered the Treasury Department.

**Assessments not affected** (2) This Act does not impair or prejudicially affect any assessment of tax made by the Treasurer of Ontario or authorized officer of the Treasury Department pursuant to any Act mentioned in section 4.

**Rights not affected** (3) Nothing in this Act impairs or prejudicially affects any rights given to a person under any Act mentioned in section 4 before this Act comes into force.

**Property vested in Minister** (4) Where any security, obligation, covenant or any interest in real or personal property was given to the Treasurer of Ontario by virtue of his office pursuant to any Act mentioned in section 4, the security, obligation, covenant, and any right of action in respect thereto, and all the interest in real or personal property vests, subject to the same trusts as they were respectively subject to, in the Minister and may be proceeded on by action or in any other manner, or may be assigned, transferred or discharged, in the name of the Minister.

**12.** This Act comes into force on a day to be named by <sup>Commence-</sup>  
the Lieutenant Governor by his proclamation.<sub>ment</sub>

**13.** This Act may be cited as *The Department of Revenue* <sup>Short title</sup>  
*Act, 1968*.





## CHAPTER 30

**An Act to establish  
The Department of Trade and Development**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "Department" means the Department of Trade and Development;
- (b) "Minister" means the Minister of Trade and Development.

**2.—**(1) The department of the public service heretofore known as the Department of Economics and Development is continued under the name "Department of Trade and Development".

Department  
continued

(2) The Minister shall preside over and have charge of the Department and is responsible for the administration of this and such other Acts and regulations made thereunder as are assigned to him by the provisions thereof or by the Lieutenant Governor in Council.

Duties of  
Minister

**3.** The Minister shall,

Further  
duties of  
Minister

- (a) cause the Department to acquire a detailed knowledge of industries in the province;
- (b) promote the establishment, growth, efficiency and improvement of industries in the province;
- (c) develop and carry out such programmes and projects as may be appropriate,
  - (i) to assist the adaptation of manufacturing industries to changing conditions in domestic and export markets, and to changes in the techniques of production,

(ii)

- (ii) to identify and assist those manufacturing industries that require special measures to develop an unrealized potential or to cope with exceptional problems of adjustments.

Idem

**4.** The Minister, in exercising his powers and carrying out his duties and functions under this Act,

- (a) shall co-operate with the Ministers having charge of the other departments of the public service of Ontario, Canada and of the other provinces, with associations and organizations and with public and private enterprises with a view to stimulating business, increasing production and extending trade;
- (b) shall co-operate in the work and functions of the departments of the public service of Ontario in respect of formulating plans to create, assist, develop and maintain productive employment and to develop the human and material resources of the province;
- (c) may consult with, and organize conferences of, representatives of trade, industry and labour, federal, provincial and municipal authorities and other interested parties;
- (d) may promote or conduct surveys and inquiries in matters of interest to industry;
- (e) may encourage research for the advancement of industry;
- (f) may collect and disseminate information on such aspects of the provincial economy as affect the development of industry; and
- (g) may assist industry in any other manner deemed to be proper.

Areas for  
equalization  
of industrial  
opportunity

**5.—(1)** The Minister, with the approval of the Lieutenant Governor in Council, may approve any area in Ontario that is considered to require assistance to attract industrial development as an area of equalization of industrial opportunity.

Duties re  
approved  
areas

(2) The Minister shall,

- (a) undertake research and make investigations respecting the areas of equalization of industrial opportunity;

(b)

- (b) prepare and carry out such programmes and projects to improve the economic development of areas of equalization of industrial opportunity as may be appropriate and that cannot suitably be undertaken by other departments, branches or agencies of the Government of Ontario.

**6.** The expenses of the Department in carrying out its objectives shall be paid out of the moneys appropriated therefor by the Legislature. Expenses of Department

**7.** A reference in any Act to the Minister of Planning and Development, the Minister of Commerce and Development or the Minister of Economics and Development, except where inconsistent with the intent of the Act, shall be deemed to be a reference to the Minister of Trade and Development. Reference to Minister in other Acts

**8.** *The Department of Economics and Development Act, 1961-62* is repealed. 1961-62, c. 30, repealed

**9.** This Act comes into force on the day it receives Royal Assent. Commencement

**10.** This Act may be cited as *The Department of Trade and Development Act, 1968*. Short title





## CHAPTER 31

**An Act to amend The Division Courts Act***Assented to, except sections 1, 3, 4, 5 and 6, April 11th, 1968**Sections 1, 3, 4, 5 and 6 assented to May 30th, 1968**Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** Section 8 of *The Division Courts Act* is repealed.

R.S.O. 1960,  
c. 110, s. 8,  
repealed

- 2.** Subsection 2 of section 13 of *The Division Courts Act* is amended by striking out "Provincial Secretary" in the first and second lines and inserting in lieu thereof "Inspector", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 110, s. 13,  
subs. 2,  
amended

- (2) The judge shall forthwith send to the Inspector notice of the appointment, specifying the name and residence of the barrister so appointed and the reason for his appointment.

Inspector  
to be  
notified

- 3.** Subsections 2 and 3 of section 21 of *The Division Courts Act* are repealed.

R.S.O. 1960,  
c. 110, s. 21,  
subss. 2, 3,  
repealed

- 4.** Section 31 of *The Division Courts Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 110, s. 31,  
re-enacted

- 31.** Where the gross fees and emoluments earned by a clerk or bailiff are less than \$1,000 a year, there shall be paid to the clerk and bailiff, respectively, out of the moneys appropriated by the Legislature for the administration of justice the sum of \$4 for attending each sitting of the court.

Fees for  
sittings

- 5.** Subsection 2 of section 196 of *The Division Courts Act* is amended by striking out "the treasurer of the county, or, in the case of a provisional judicial district" in the second and third lines, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 110, s. 196,  
subs. 2,  
amended

- (2) Payments made under this section shall be certified to by the judge, and the Treasurer of Ontario shall upon presentation of the certificate pay to the clerk the amount which the certificate shows to have been paid to the jurors.

Certifying  
payment of  
jurors and  
refund to  
clerk

R.S.O. 1960,  
c. 110,  
ss. 197, 198,  
repealed

**6.** Sections 197 and 198 of *The Division Courts Act* are repealed.

Commence-  
ment

**7.**—(1) This Act, except sections 1, 3, 4, 5 and 6, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1, 3, 4, 5 and 6 shall be deemed to have come into force on the 1st day of January, 1968.

Short title

**8.** This Act may be cited as *The Division Courts Amendment Act, 1968*.

## CHAPTER 32

## An Act to amend The Dog Tax and Live Stock and Poultry Protection Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *d* of section 9 of *The Dog Tax and Live Stock and Poultry Protection Act*, as enacted by subsection 3 of section 4 of *The Dog Tax and Cattle, Sheep and Poultry Protection Amendment Act, 1965*, is amended by inserting after "goats" in the first line "horses", so that the clause shall read as follows:

(d) "live stock" means cattle, goats, horses, sheep or swine.

2. Subsection 1 of section 11 of *The Dog Tax and Live Stock and Poultry Protection Act*, as amended by subsection 1 of section 6 of *The Dog Tax and Cattle, Sheep and Poultry Protection Amendment Act, 1965*, is repealed and the following substituted therefor:

(1) Whether the owner of a dog that kills or injures live stock or poultry is known or not, the local municipality in which the killing or injuring occurred is liable to the owner of the live stock or poultry for the amount of damage determined under section 12, and shall pay over such amount to the owner within thirty days after the amount has been so determined.

3.—(1) Section 12 of *The Dog Tax and Live Stock and Poultry Protection Act*, as amended by section 7 of *The Dog Tax and Cattle, Sheep and Poultry Protection Amendment Act, 1965*, is further amended by adding thereto the following subsection:

(2a) Where an owner of live stock or poultry notifies a valuer or a clerk of a local municipality under subsection 2, he shall, within ten days, file with the

clerk

clerk an affidavit that to the best of his knowledge and belief the live stock or poultry were killed or injured by a dog other than a dog owned by him or habitually kept upon his premises.

R.S.O. 1960,  
c. 111, s. 12,  
subs. 6,  
re-enacted

(2) Subsection 6 of the said section 12, as amended by subsection 5 of section 7 of *The Dog Tax and Cattle, Sheep and Poultry Protection Amendment Act, 1965*, is repealed and the following substituted therefor:

Appeal to  
Commis-  
sioner

(6) Where the owner of live stock or poultry or the council is dissatisfied with the report of the valuer made under subsection 2, the owner or the council may appeal to the Commissioner who shall name a valuer, and the valuer so named shall make a further investigation and report.

R.S.O. 1960,  
c. 111, s. 12,  
subs. 7,  
re-enacted

(3) Subsection 7 of the said section 12 is repealed and the following substituted therefor:

Time for  
appeal;  
deposit

(7) Such appeal shall be made within thirty days after the making of the report to the clerk of the local municipality by its valuer, and \$25 shall be deposited with the Commissioner at the time of making the appeal to be forfeited to the Crown if the report of the valuer for the local municipality is sustained on an appeal under this section.

R.S.O. 1960,  
c. 111, s. 12,  
subs. 8,  
re-enacted

(4) Subsection 8 of the said section 12, as amended by subsection 6 of section 7 of *The Dog Tax and Cattle, Sheep and Poultry Protection Amendment Act, 1965*, is repealed and the following substituted therefor:

Where no  
municipal  
valuer

(8) Where there is no valuer of the local municipality or the clerk or the valuer does not discharge the duties imposed upon him by this Act, the Commissioner, on the application of the owner of any live stock or poultry killed or injured by a dog other than a dog owned by him or habitually kept upon his premises, shall name a valuer, and the valuer so named shall make an investigation and report, and the municipality shall pay to the Commissioner the cost of such investigation and report as fixed by him.

R.S.O. 1960,  
c. 111, s. 12,  
subs. 9,  
re-enacted

(5) Subsection 9 of the said section 12, as amended by subsection 7 of section 7 of *The Dog Tax and Cattle, Sheep and Poultry Protection Amendment Act, 1965*, is repealed and the following substituted therefor:

- (9) A copy of the report of a valuer named by the Commissioner under subsection 6 or 8 shall be forwarded by the Commissioner as soon as practicable to the clerk of the local municipality and to the owner of the live stock or poultry.

- (9a) A valuer named by the Commissioner under subsection 6 or 8 shall, where applicable, include in his report a statement of his belief that the amount of damage to live stock or poultry includes damage incurred under the circumstances set out in clause *a*, *b* or *c* of subsection 3, and the council of the municipality may thereupon deny liability in whole or in part by written notice given by the clerk of the municipality to the owner of the live stock or poultry within thirty days after receipt of the report of the valuer.

- (9b) Where the owner of live stock or poultry or the council is dissatisfied with the report of the valuer made under subsection 6 or 8, the owner or the council may, within thirty days after receipt of the report, appeal to a judge of the county or district court of the county or district in which the municipality is situate, and the judge may determine the liability of the municipality and, subject to subsection 10, the amount payable to the owner.

(6) Subsection 10 of the said section 12, as amended by subsection 8 of section 7 of *The Dog Tax and Cattle, Sheep and Poultry Protection Amendment Act, 1965*, is repealed and the following substituted therefor:

- (10) No municipality shall be liable to an owner for an amount in respect of,
- (a) a head of cattle in excess of \$500;
  - (b) a goat in excess of \$100;
  - (c) a horse in excess of \$500;
  - (d) a head of sheep in excess of \$100;
  - (e) a head of swine in excess of \$100; or
  - (f) poultry of one owner, killed or injured in any year, in excess of \$1,000.



Commence-  
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Dog Tax and Live Stock and Poultry Protection Amendment Act, 1968*.

## CHAPTER 33

**An Act to amend The Drainage Act, 1962-63**

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Drainage Act, 1962-63* is amended by <sup>1962-63, c. 39, s. 1, amended</sup> adding thereto the following clause:

(ea) "Department" means the Department of Municipal Affairs.

**2.** Subsection 1 of section 3 of *The Drainage Act, 1962-63* <sup>1962-63, c. 39, s. 3, subs. 1, re-enacted</sup> is repealed and the following substituted therefor:

(1) Subject to subsection 4, upon the petition (Form 1) <sup>Drainage works constructed on petition</sup> of the majority in number of the owners, as shown by the last revised assessment roll to be the owners of the lands and roads in the area requiring drainage as described in the petition within any local municipality, to the council thereof, for the drainage of the area by means of a drainage works, the council, not sooner than thirty days after a notice advising of the proposed drainage works has been sent by prepaid mail to the secretary-treasurer of each authority under *The Conservation Authorities Act, 1968, c. 15* 1968, c. 15 that has jurisdiction over any of such lands, may by by-law or resolution appoint an engineer to make an examination of the area, to prepare a report, including plans, specifications, estimates of the drainage works, and an assessment against the lands and roads within the area requiring drainage and of any other lands and roads liable to be assessed for the drainage works, stating as nearly as may be, in his opinion, the proportion of the cost of the drainage works, including fees of the engineer and of the clerk, to be assessed against every parcel of land and road for benefit, outlet liability and injuring liability.

1962-63,  
c. 39, s. 9,  
amended

**3.** Section 9 of *The Drainage Act, 1962-63* is amended by striking out "11" in the ninth line and inserting in lieu thereof "10", so that the section shall read as follows:

Assessing  
land in  
neighbor-  
ing muni-  
cipality

9. Where any lands or roads in or under the jurisdiction of a local municipality, other than the local municipalities into or through which the drainage works passes, are, in the opinion of the engineer of the initiating or other municipality doing the work or part thereof, benefited by the drainage works or provided with an improved outlet or relieved from injuring liability, he may assess the cost of the construction, improvement or maintenance of the drainage works in the same manner as is provided in section 10.

1962-63,  
c. 39, s. 24,  
subs. 1,  
cl. b,  
amended

**4.—**(1) Clause *b* of subsection 1 of section 24 of *The Drainage Act, 1962-63* is amended by striking out "established under *The Conservation Authorities Act*" in the first and second lines and inserting in lieu thereof "under *The Conservation Authorities Act, 1968*".

1962-63,  
c. 39, s. 24,  
subs. 2,  
amended

(2) Subsection 2 of the said section 24 is amended by striking out "established under *The Conservation Authorities Act*" in the seventh and eighth lines and inserting in lieu thereof "under *The Conservation Authorities Act, 1968*".

1962-63,  
c. 39, s. 24,  
subs. 3,  
amended

(3) Subsection 3 of the said section 24 is amended by striking out "established under *The Conservation Authorities Act*" in the sixth and seventh lines and inserting in lieu thereof "under *The Conservation Authorities Act, 1968*".

1962-63,  
c. 39, s. 34,  
amended

**5.** Section 34 of *The Drainage Act, 1962-63* is amended by striking out "established under *The Conservation Authorities Act*" in the second and third lines and inserting in lieu thereof "under *The Conservation Authorities Act, 1968*".

1962-63,  
c. 39, s. 40,  
amended

**6.—**(1) Section 40 of *The Drainage Act, 1962-63* is amended by adding thereto the following subsection:

Land  
exempt  
from  
taxation  
to be  
specially  
assessed

(6) Notwithstanding the provisions of any general or special Act, land exempt from taxation is for all purposes, except petitioning for or against undertaking a drainage works, subject to the provisions of this Act and shall be specially assessed, and the special assessments so imposed that fall due while such land remains exempt from taxation shall be paid by the municipality that imposed the assessments, provided that such special assessments imposed upon land on which a church or place of

worship is erected and that is used in connection therewith, land of a university, college or seminary of learning, whether vested in a trustee or otherwise, except a school maintained in whole or in part by a legislative grant or a school tax, shall be paid by the owners of the land.

(2) Subsection 1 applies to all drainage works in respect of which an engineer's report is adopted after this Act comes into force. Application of subs. 1

7. Section 52 of *The Drainage Act, 1962-63* is amended by adding thereto the following subsection: 1962-63, c. 39, s. 52, amended

(1a) Except where emergency work is required to be performed, an engineer shall not be appointed under subsection 1 until thirty days after a notice advising of the proposed drainage works has been sent by prepaid mail to the secretary-treasurer of each authority under *The Conservation Authorities Act, 1968* that has jurisdiction over any of the lands that would be affected. Notice to conservation authorities 1968, c. 15

8. Sections 61 and 62 of *The Drainage Act, 1962-63* are repealed and the following substituted therefor: 1962-63, c. 39, s. 61, re-enacted; s. 62, repealed

61.—(1) Grants may be made in respect of assessments made under this Act upon lands used for agricultural purposes provided the drainage works were undertaken in accordance with section 3, 48 or 52 and a report of an engineer has been adopted in accordance with this Act. Provincial grants

(2) Grants shall not be made in respect of assessments made under this Act upon lands owned by Canada, Ontario or a municipality or in respect of the assessment of the cost of lateral drains. Exceptions

9. Sections 63 and 64 of *The Drainage Act, 1962-63* are repealed and the following substituted therefor: 1962-63, c. 39, ss. 63, 64, re-enacted

63.—(1) Where a provisional by-law has been passed under section 39 and assessments in respect of the proposed drainage works are eligible for a grant under this Act, the council of the initiating municipality shall forward to the Department before the construction or improvement of the drainage works is commenced a notice in such form as is prescribed by the Department advising of the proposed works and of the intention to apply for a grant in respect thereof. Notice of proposed drainage works

Emergency  
work

- (2) Notwithstanding subsection 1, where it is necessary for a local municipality to perform emergency work under this Act before it is possible to obtain and adopt an engineer's report, the council may forward the notice required by subsection 1 after the commencement of the work if the Department has been given notice of the emergency work within ten days after the commencement thereof.

Application  
for grant

- 64.—(1) Upon the practical completion of the drainage works and after the time for appealing against assessments has expired and there are no appeals or after all appeals against assessments have been decided, the council of the initiating municipality shall forward to the Department an application for a grant in such form as is prescribed by the Department.

Payment  
of grant

- (2) The Minister, upon receipt of a duly completed application for a grant, may pay out of such moneys as are appropriated therefor by the Legislature to the treasurer of the initiating municipality a grant of,
- (a) where the drainage works is in a county, 33  $\frac{1}{3}$  per cent of the assessments eligible for a grant under section 61; or
  - (b) where the drainage works is in a municipality in a territorial district or a provisional county, 66  $\frac{2}{3}$  per cent of the assessments eligible for a grant under section 61.

## Distribution

- (3) Where the drainage works is in two or more municipalities the grant shall be distributed by the treasurer of the initiating municipality among all such municipalities in the proportion that the total of the assessments eligible for a grant in each municipality bears to the total of all assessments eligible for a grant in all of the municipalities.

Grant to  
be applied  
to reduce  
assessments

- (4) The treasurer of each municipality shall apply the amount of the grant received by that municipality to reduce the assessment on each parcel of land in the municipality eligible for a grant in the proportion that each such assessment bears to the total of the assessments eligible for a grant in the municipality.

1962-63,  
c. 39, s. 65,  
subs. 2,  
re-enacted

**10.** Subsection 2 of section 65 of *The Drainage Act, 1962-63* is repealed and the following substituted therefor:

(2)



- (2) Where a drainage works is in territory without municipal organization, an amount not exceeding <sup>Grants in unorganized territory</sup> 80 per cent of the assessments eligible for a grant under section 61 in respect of such drainage works may be paid by the Minister out of moneys appropriated therefor by the Legislature.

**11.** Subsection 5 of section 66 of *The Drainage Act, 1962-63*, <sup>1962-63, c. 39, s. 66, subs. 5, amended</sup> as amended by section 2 of *The Drainage Amendment Act, 1966*, is further amended by adding at the commencement thereof "Notwithstanding any other Act", so that the subsection shall read as follows:

- (5) Notwithstanding any other Act, the referee or an <sup>Salary</sup> acting referee shall be paid such remuneration as the Lieutenant Governor in Council determines, together with his reasonable travelling expenses and expenses for secretarial services.

**12.—**(1) This Act, except section 11, comes into force on <sup>Commencement</sup> the day it receives Royal Assent.

(2) Section 11 shall be deemed to have come into force on <sup>Idem</sup> the 1st day of June, 1963.

**13.** This Act may be cited as *The Drainage Amendment* <sup>Short title</sup> *Act, 1968*.



## CHAPTER 34

**An Act to amend  
The Elderly Persons' Housing Aid Act**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Elderly Persons' Housing Aid Act* is <sup>R.S.O. 1960, c. 117, s. 1, amended</sup> amended by striking out "Public Welfare" in the first line and inserting in lieu thereof "Trade and Development" and by inserting after "any" in the first line "corporation the objects of which are exclusively for charitable purposes or any", so that the section shall read as follows:

1. The Minister of Trade and Development may grant <sup>Grant in aid</sup> aid to any corporation the objects of which are <sup>authorized</sup> exclusively for charitable purposes or any limited-dividend housing corporation incorporated by or on behalf of a municipality or approved by a municipality that has had a loan made to it under the *National Housing Act* (Canada) to assist it in any <sup>R.S.C. 1952, c. 188</sup> project for the construction and equipment of low rental housing units for elderly persons.

2. This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent.<sub>ment</sub>

3. This Act may be cited as *The Elderly Persons' Housing* <sup>Short title</sup> *Aid Amendment Act, 1968.*



## CHAPTER 35

**The Employment Standards Act, 1968**

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## INTERPRETATION

**1. In this Act,**Interpre-  
tation

- (a) "Department" means the Department of Labour;
- (b) "Director" means the Director of Employment Standards appointed for the purposes of this Act;
- (c) "employee" includes every person who performs any work or services in an establishment for an employer, and includes any person doing homework;
- (d) "employer" includes every person who as the owner, proprietor, manager, superintendent or overseer of any establishment,
  - (i) has control or direction of, or is directly or indirectly responsible for the employment of, an employee therein, or
  - (ii) employs or permits any person to work therein;
- (e) "establishment" means any place of business, work, trade, occupation or profession other than those designated in the regulations;
- (f) "holiday" means New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day and Christmas Day and where New Year's Day, Dominion Day or Christmas Day falls on a Sunday, the day next following is in lieu thereof a holiday;

(g)



- (g) "homework" means the doing of any work in the manufacture, preparation, improvement, repair, alteration, assembly or completion of any article or thing or any part thereof by a person for wages in premises occupied primarily as living accommodation, and "homeworker" has a corresponding meaning;
- (h) "Minister" means the Minister of Labour or such member of the Executive Council as is for the time being charged with the administration of this Act;
- (i) "regular rate" means,
- (i) the hourly rate paid to an employee for his normal non-overtime work week, or
  - (ii) in the case of an employee to whom sub-clause i does not apply, the amount obtained by dividing his total earnings for the week by the number of hours he worked in the week;
- (j) "regulations" means the regulations made under this Act;
- (k) "wages" includes any form of remuneration for work or services performed, but does not include tips and other gratuities. R.S.O. 1960, c. 240, s. 1; 1962-63, c. 83, s. 1; R.S.O. 1960, c. 181, s. 1, *amended*.

## PART I

### GENERAL

Minister  
responsible  
for admin-  
istration

**2.—**(1) The Minister is responsible for the administration of this Act.

Director  
to be  
appointed

(2) A Director of Employment Standards shall be appointed for the purposes of this Act. *New.*

Agreements  
or waivers  
contrary  
to Act

**3.** This Act applies notwithstanding any agreement or waiver to the contrary. R.S.O. 1960, c. 240, s. 7, *amended*.

Standards  
as  
minimums

**4.—**(1) The standards for rates of wages and vacations with pay required under this Act are minimum standards only and nothing in this Act shall affect any rights or benefits of an employee under any law, custom, agreement or arrangement that is more favourable to him than his rights or benefits under this Act. *New.*

Conflict  
with other  
Acts

(2) Where there is conflict between the rate of wages, vacations with pay or payment in lieu thereof, or hours of work determined under this Act or the regulations and those

determined

determined under any other Act or any regulation or order made thereunder, or any schedule under *The Industrial Standards Act*, the greater rate of wages and vacations with pay and the lesser hours of work shall prevail. R.S.O. 1960, c. 181, s. 13, *amended*. R.S.O. 1960,  
c. 186

5.—(1) The Director may,

Director  
may hold  
inquiry

(a) hold an inquiry into the facts concerning any persons employed in or about an establishment as members or alleged members of a partnership or association, or in the execution of any agreement or scheme of profit-sharing or co-operative or joint contract or undertaking, including the investigation of the contractual and other relations of the persons so employed, as between themselves or as between them and their employer; and

(b) make such order as he deems proper declaring any of such persons or any class or group thereof to be employers and any of such persons or any class or group thereof to be employees for the purposes of this Act, provided that, in his opinion, the partnership, association, agreement or scheme is intended or has the effect, directly or indirectly, of defeating the true intent and purpose of this Act. R.S.O. 1960, c. 181, s. 7, *part, amended*.

(2) The Director may, by notice in writing, require the attendance before him of any person at the time and place named in the notice, and examine such person under oath in respect of any matter concerning wages, hours of work, vacations with pay or any matter mentioned in subsection 1. Power to  
require  
attendance  
etc.

(3) The Director may refer any matter to the Industry and Labour Board appointed under *The Department of Labour Act* for a hearing and the Board shall hold the hearing and report its findings and recommendations to the Director. Hearings by  
Industry  
and Labour  
Board  
R.S.O. 1960,  
c. 97

6. Where the Director is unable to act or there is a vacancy in the office, the powers and duties of the Director shall be exercised and performed by such employee of the Department as the Minister designates. *New.* Acting  
Director

## PART II

### HOURS OF WORK

7.—(1) Subject to subsection 2, the working hours of an employee shall not exceed eight in the day and forty-eight in the week. R.S.O. 1960, c. 181, s. 2 (1), *amended*. Maximum  
hours

## Exceptions

(2) Subsection 1 does not apply to an employee whose only work is supervisory or managerial in character, or of a character exempted by the regulations. R.S.O. 1960, c. 181, s. 3, *amended*.

## Variation of working day

8.—(1) Subject to subsection 2, an employer may, with the approval of the Director, and upon such terms and conditions as the Director prescribes, adopt a working day in excess of eight hours, but the working hours of his employees shall not exceed forty-eight hours in a week.

## Maximum working hours

(2) The maximum working hours of an employee in a day prescribed by section 7 is subject to any schedule in force under *The Industrial Standards Act*. *New*.

R.S.O. 1960, c. 186

## Permits for excess hours

9.—(1) The Director may issue a permit authorizing hours of work in an establishment in excess of those prescribed by section 7 or under section 8, but the excess working hours shall not exceed,

- (a) in the case of an engineer, fireman, full-time maintenance man, receiver, shipper, delivery truck driver or his helper, watchman or other person, who in the opinion of the Director, is engaged in a similar occupation, twelve hours in each week for each employee; and
- (b) in the case of all other employees, 100 hours in each year for each employee.

## Idem

(2) Notwithstanding subsection 1, the Director may issue a permit for work in excess of the maximum hours prescribed by subsection 1 where he is satisfied that the nature of the work or perishable nature of raw material being processed requires the excess hours.

## Overtime work of female employee

(3) Notwithstanding subsections 1 and 2, the overtime work of a female employee under the age of eighteen years shall not exceed six hours in a week.

## Exceeding maximum in case of accident

(4) The limit of hours of work prescribed by subsection 1 of section 7 may be exceeded in case of accident, or in case of work urgently required to be done to machinery or plant, but only so far as may be necessary to avoid serious interference with the ordinary working of the establishment. *New*.

## Terms and conditions of overtime work

10. A permit issued under section 9 shall contain such terms and conditions as the Director prescribes. *New*.

**11.**—(1) No employer may require or permit work, and no employee may work or agree to work, any hours that exceed the maximum hours determined under this Act. <sup>Agreements subject to maximums</sup>

(2) The issuance of a permit under section 9 does not require an employee to work any hours in excess of those prescribed by section 7 without the consent or agreement of the employee or his agent. *New.* <sup>Permit does not obligate employee</sup>

**12.**—(1) No female employee under the age of eighteen years shall work in an establishment between the hours of 12 o'clock midnight and 6 o'clock in the forenoon of any day. <sup>Employment of females at night</sup>  
1964, c. 42, s. 2, *part, amended.*

(2) Where the work period of a female employee ends between 12 o'clock midnight and 6 o'clock in the forenoon, the employer shall provide her with private transportation to her residence at his expense. <sup>Employer to provide transportation</sup>

(3) Where the work period of a female employee begins between 12 o'clock midnight and 6 o'clock in the forenoon, the employer shall provide her with private transportation from her residence to the place of employment at his expense. <sup>Idem</sup>  
*New.*

**13.** Every employer shall provide eating periods of at least one-half hour, or such shorter period as is approved by the Director, at such intervals as will result in no employee working longer than five consecutive hours without an eating period, but where immediately before this Act comes into force an employer provides eating periods that are shorter than one-half hour, he may continue such eating periods, unless ordered to do otherwise by the Director. 1964, c. 42, s. 2, *part, amended.* <sup>Eating periods</sup>

### PART III

#### OVERTIME PAY

**14.**—(1) Where an employee works for an employer in excess of forty-eight hours in any week, he shall be paid for each hour worked in excess of forty-eight hours an amount not less than one and one-half times his regular rate. <sup>Overtime pay,</sup>

(2) Where an employee works on a holiday, he shall be paid for each hour worked an amount not less than one and one-half times his regular rate. *New.* <sup>on holidays</sup>

### PART IV



## PART IV

## MINIMUM WAGES

Employees  
may not  
waive the  
Act

**15.** No employee is competent to agree to waive or to forego any provision of this Act, and no employer is competent to enter into any agreement, arrangement or understanding with an employee or with any other person that results in the whole or any part of the wages paid to an employee or to the Director on behalf of an employee being returned to or accepted by the employer, either directly or indirectly, and every such agreement, arrangement and undertaking is void. R.S.O. 1960, c. 240, s. 7, *amended*.

Statutory  
agreement  
for  
minimum  
wage

**16.** Every employer who permits any employee to perform any work with respect to which a minimum wage is established shall be deemed to have agreed to pay to the employee at least the minimum wage established and the minimum wage shall be paid to the employee only by cash or by cheque payable at par at the place where the employee performed the work. R.S.O. 1960, c. 240, s. 6.

Handicap-  
ped em-  
ployees

**17.** For the purpose of enabling a handicapped person to be gainfully employed, the Director may, upon the application of the handicapped person or his employer and with the consent of the handicapped person, his parent or guardian, authorize the employment of such handicapped person at a wage lower than the minimum wage prescribed under a regulation. R.S.O. 1960, c. 240, s. 4, *amended*.

Application  
of Part  
1964, c. 3

**18.** This Part does not apply to apprentices to whom *The Apprenticeship and Tradesmen's Qualification Act, 1964*, applies. *New*.

## PART V

## EQUAL PAY FOR EQUAL WORK

Equal pay  
for equal  
work

**19.—(1)** No employer or person acting on behalf of an employer shall discriminate between his male and female employees by paying a female employee at a rate of pay less than the rate of pay paid to a male employee, or vice versa, employed by him for the same work performed in the same establishment, the performance of which requires equal skill, effort, and responsibility, and which is performed under similar working conditions, except where such payment is made pursuant to,

(a) a seniority system;

(b) a merit system;

(c)



(c) a system that measures earnings by quantity or quality of production; or

(d) a differential based on any factor other than sex. 1961-62, c. 93, s. 5 (1), *amended*.

(2) No employer shall reduce the rate of pay of an employee in order to comply with subsection 1. Pay not to be reduced

(3) No organization of employers or employees, as the case may be, or its agents shall cause or attempt to cause an employer to pay to his employees rates of pay that are in contravention of subsection 1. Employer not to be requested to contravene subs. 1

(4) Where in the opinion of the Director an employer has not complied with subsection 1, the Director may determine the amount of moneys owing to an employee, and such amount shall be deemed to be unpaid wages. Determination by Director

(5) This section applies to the Crown and every agency thereof. *New.* Section applies to Crown

**20.**—(1) Where the Director is unable to effect a determination under subsection 4 of section 19, the Minister, on the recommendation of the Director, may appoint a board of inquiry, composed of one or more persons, to investigate the matter. Appointment of board of inquiry

(2) The Director shall communicate the names of the members of the board to the parties concerned. Names of members to be communicated

(3) The board shall have the powers of a conciliation board under section 28 of *The Labour Relations Act*. Powers R.S.O. 1960, c. 202

(4) The board shall give the parties full opportunity to present evidence and to make submissions and shall recommend to the Director the course of action that ought to be taken. Duties

(5) If the board is composed of more than one person, the recommendations of the majority are the recommendations of the board. Majority recommendations to prevail

(6) After the board has made its recommendations, the Director may direct it to clarify or amplify any of them and they shall be deemed not to have been received by the Director until they have been so clarified or amplified. Clarification of recommendations

(7) The rate of remuneration of the chairman and members of a board of inquiry appointed under this section shall be the rate paid from time to time to the chairman and members of a conciliation board under *The Labour Relations Act*. *New.* Remuneration R.S.O. 1960, c. 202

## PART VI

## VACATIONS WITH PAY

## Vacations

**21.**—(1) Every employee in an establishment shall be given,

- (a) an annual vacation of at least one week with pay upon the completion of each twelve months' employment during the first thirty-six months of his employment; or
- (b) an annual vacation of at least two weeks with pay upon the completion of each twelve months' employment thereafter.

## Idem

(2) Where an employee has completed thirty-six months of non-continuous employment during any period of five consecutive years subsequent to the year 1963, he shall be given an annual vacation of at least two weeks with pay upon the completion of each twelve months' employment thereafter. 1966, c. 67, s. 1, *part, amended*.

When  
vacation  
taken

**22.** The employer shall determine the period when an employee may take the vacation provided by section 21, which, in the case of a two-week vacation, may be a two-week period or two periods of one week each, but in any case the employee shall be given his vacation not later than ten months after the end of the year for which the vacation was given. 1966, c. 67, s. 1, *part, amended*.

Vacation  
pay

**23.** In the case of a one-week vacation, the amount of pay for the vacation shall not be less than an amount equal to 2 per cent of the pay of the employee for all work done by him in the year for which the vacation is given, and, in the case of a two-week vacation, the amount of pay for the vacation shall not be less than an amount equal to 4 per cent of the pay of the employee for all work done by him in the year for which the vacation is given. 1966, c. 67, s. 1, *part*.

Payment  
in lieu of  
vacation

**24.** Where an employee's employment terminates, the employer shall, in lieu of the vacation required by section 21, pay to the employee the proportion of the vacation pay determined under section 23 that is referable to any year or part of a year in respect of which no vacation has been given. *New*.

Agreements  
for pay  
in lieu of  
vacation

**25.** Any agreement between the employer and his employees respecting the method of providing funds for paying vacation pay, or payment in lieu of vacation, or of any arrangements for the taking of vacation, is subject to the approval of the Director. *New*.

## PART VII

## HOMEWORKERS

**26.**—(1) An application for a permit to employ home-<sup>Application for permit</sup>workers shall be made by the employer to the Director.

(2) No person shall employ a homeworker without a permit<sup>Permits</sup> therefor issued by the Director.

(3) The Director may issue a permit on such terms and<sup>Terms and conditions</sup> conditions as he considers advisable.

(4) The Director may revoke or suspend a permit for a<sup>Revocation and suspension</sup> breach of a term or condition thereof, or where the holder is liable for a nuisance within the meaning of *The Public R.S.O. 1960, c. 321* *Health Act*, or a breach of any Act. 1964, c. 45, s. 27, *part, amended.*

(5) Every employer shall keep a register and enter therein<sup>Register of homeworkers</sup> the name and address of every homeworker to whom he gives homework, and the wages paid therefor. 1964, c. 45, s. 29 (1), *amended.*

## PART VIII

## WAGE PROTECTION

**27.** Every employer shall furnish to every employee at<sup>Pay statement</sup> the time wages are paid to the employee, a statement in writing which can be retained by the employee, setting forth,

- (a) the period of time or the work for which the wages are being paid;
- (b) the rate of wages to which the employee is entitled unless such information is furnished to the employee in some other manner;
- (c) the amount of the wages to which the employee is entitled;
- (d) the amount of each deduction from the wages of the employee and the purpose for which each deduction is made;
- (e) any living allowance or other payment to which the employee is entitled; and
- (f) the net amount of money being paid to the employee. 1962-63, c. 143, s. 1, *part, amended.*

Determina-  
tion of  
amounts  
payable

**28.**—(1) Where an employer has failed to pay an employee,

- (a) the amount of wages due;
- (b) any pay to which the employee is entitled under section 14; or
- (c) any vacation pay to which the employee is entitled under Part VI,

the Director may determine the difference between the amount paid to the employee and the amount to which the employee is entitled.

Notice to  
employer,  
etc.

(2) The Director shall notify an employer of any determination made under subsection 1, and may require the employer to pay to him in trust unpaid wages, overtime pay or vacation pay, not exceeding \$1,000, owing to an employee as determined under subsection 1.

Employer  
may appeal  
to Minister

(3) Where the Director has collected from an employer unpaid wages, overtime pay or vacation pay, the employer may, within twenty-one days of the date of the notice under subsection 2, appeal to the Minister for a review of the determination of the Director.

Hearing and  
determina-  
tion of  
amount  
owing

(4) The Minister or a person designated by him shall,

- (a) review the matter at a hearing;
- (b) give the employer full opportunity to present evidence and make submissions; and
- (c) determine the amount owing to the employee.

Payment by  
Director

(5) Where no appeal has been made to the Minister, the Director shall pay to the employee all moneys collected on his behalf.

Idem

(6) Where an appeal has been made to the Minister, the Director shall pay to the employee the amount owing to him as determined under subsection 4 and shall pay to the employer the balance, if any, of the moneys collected from him.  
*New.*

## PART IX

### REGULATIONS

Regulations

**29.**—(1) The Lieutenant Governor in Council may make regulations for carrying out the purposes of this Act and, without restricting the generality of the foregoing, may make regulations,

(a)



- (a) establishing minimum rates of wages for employees;
- (b) designating or defining any establishment or part thereof to which the regulation is applicable;
- (c) designating or defining the zone or zones within Ontario in which any regulation or provision thereof is applicable;
- (d) designating any place of business, work, trade, occupation or profession or any class thereof for the purposes of clause *e* of section 1;
- (e) prescribing conditions of employment;
- (f) exempting any class of employers or employees from the application of this Act or the regulations or any provision thereof;
- (g) prescribing what constitutes the performance of work in respect of which minimum wages shall be paid;
- (h) specifying the deductions that may be made from the minimum wage paid to employees;
- (i) providing for a system of vacation-with-pay credit stamps for use in the construction industry as defined in the regulations, and providing for the sale and redemption of such stamps;
- (j) prescribing the maximum number of hours that may elapse between the commencement and the termination of the daily work period or periods of an employee;
- (k) prescribing the records that shall be kept and the returns that shall be made by employers;
- (l) governing the production and inspection of records required to be kept by employers;
- (m) requiring employers in any establishment or branch thereof to notify employees, by the publication of such notices, in such manner as may be prescribed, of the provisions of this Act or any regulation or permit made thereunder;
- (n) providing for the setting up of a consultative or advisory committee to advise the Minister on any matters arising in relation to the administration of this Act;

(o)



- (o) prescribing forms and providing for their use;
- (p) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

## Application

(2) A regulation made under subsection 1 or any provision thereof may be confined in its application to any class of employer, employee or establishment defined in the regulation. R.S.O. 1960, c. 240, s. 3, *amended*.

## PART X

## ADMINISTRATION

Posting  
notices

**30.** Every employer shall post and keep posted any notice required by the Director in a conspicuous place where his employees are engaged in their duties. 1961-62, c. 58, s. 4, *part, amended*.

## Records

**31.—(1)** Every employer shall,

- (a) make and keep for a period of eighteen months after work is performed by an employee complete and accurate records in respect of the employee showing,
  - (i) his name and address,
  - (ii) his age, if under eighteen years of age,
  - (iii) the number of hours worked by him in each day and week,
  - (iv) the number of hours worked by him in any day or week in excess of the hours prescribed by this Act or the regulations,
  - (v) wage rate and actual earnings; and
- (b) make and keep for a period of five years after work is performed by an employee complete and accurate records in respect of the employee showing,
  - (i) his name and address,
  - (ii) the date of commencement of his present term of employment and the anniversary date thereof, and
  - (iii) his earnings during each pay period and his vacations with pay or payment to him in lieu thereof. 1962-63, c. 83, s. 5, *part, amended*.

(2) Subclause iii of clause *a* of subsection 1 does not apply <sup>Exception</sup> in respect of the salaried employees of an employer who perform work of a clerical or administrative nature where the employer establishes a regular working day in accordance with section 7 and makes and keeps a record showing the number of hours worked by such employees in excess of eight hours a day and forty-eight hours a week. *New.*

**32.** An employer shall,

Production  
of records

- (a) produce the records required under this Act for inspection by the Director or any person authorized by the Minister, and shall for this purpose provide access to his premises for the Director or such person at all reasonable times and at any time his employees are engaged in their work; and
- (b) furnish such information from the records at such time and place as the Director requires. R.S.O. 1960, c. 181, s. 8 (1); 1961-62, c. 58, s. 1.

**33.—(1)** The Director may,

Information

- (a) require any employer to make or furnish such full and correct statements, either orally or in writing as the Director requires, respecting the wages, hours of work, vacations with pay and conditions of work of any of his employees, and require the statements to be made by the employer on oath or to be verified by his statutory declaration;
- (b) require any employee to make such full and correct statements, either orally or in writing as the Director requires, respecting his wages, hours of work, vacations with pay and other matters relating to his employment, and require such statements to be made on oath or verified by his statutory declaration.

(2) The Director or any person authorized by the Minister <sup>Examina-  
tion of  
records,  
inspection of  
premises</sup> may,

- (a) inspect and examine all books, payrolls and other records of an employer that in any way relate to the wages, hours of work, vacations with pay or conditions of work of his employees;
- (b) take extracts from or make copies of any entry in the books, payrolls and other records mentioned in clause *a*;

(c)

- (c) at any reasonable time, enter any establishment or business or other premises for the purpose of making an inspection, provided, however, that he shall not enter any room or place actually used as a dwelling without the consent of the occupier except under the authority of a search warrant issued under section 14 of *The Summary Convictions Act*; and

R.S.O. 1960,  
c. 387

- (d) question any employee apart from his employer.  
R.S.O. 1960, c. 181, s. 9; 1961-62, c. 58, s. 2,  
*amended*.

Notice to  
furnish  
information

**34.—(1)** Where the Director is authorized under this Act or the regulations to require a person to furnish information, the Director may require the information to be furnished by a notice to that effect served personally or sent by registered mail addressed to the last known place of abode of the person for whom the notice is intended, and such person shall furnish the information within such reasonable time as is specified in the notice.

Proof of  
service of  
notice

(2) A certificate of the Director certifying that the notice was sent by registered mail to the person to whom it was addressed, accompanied by and identifying the post office certificate of the registration and a true copy of the notice is admissible as *prima facie* proof of the mailing and receipt of the notice.

Proof of  
failure  
to comply

(3) Where the Director is authorized to require a person to furnish information under this Act, a certificate of the Director certifying that the information has not been furnished is admissible as *prima facie* proof that in such case the person did not furnish the information.

Proof of  
documents

(4) A certificate of the Director certifying that a document annexed thereto is a document or true copy of a document made by or on behalf of the Director is admissible as *prima facie* proof of the nature and contents of the document and shall be received in evidence in the place and stead of the original and has the same force and effect as the original document would have had if produced and proved.

Proof of  
authority

(5) A certificate under this section signed or purporting to be signed by the Director is admissible as *prima facie* proof of the facts stated therein and of the authority of the person giving or making the certificate without any proof of appointment or signature. 1961-62, c. 58, s. 4, *part*; 1962-63, c. 83, s. 8, *amended*.

## PART XI

## ENFORCEMENT

**35.**—(1) Every employer who dismisses or threatens to dismiss or otherwise discriminates against an employee because the employee has sought the enforcement of this Act or the regulations or has given information to a person authorized to require it under this Act is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000. R.S.O. 1960, c. 240, s. 8, *amended*.

(2) Where an employer is convicted of the offence of dismissing an employee under one of the circumstances mentioned in subsection 1, the magistrate making the conviction shall, in addition to the penalty, order the employer,

- (a) to reinstate the employee in his employ at such date as in the opinion of the magistrate is just and proper in the circumstances and in the position that the employee would have held but for such dismissal; and
- (b) to pay to the employee compensation for loss of employment in an amount not exceeding the amount that, in the opinion of the magistrate, is equivalent to the wages that would have accrued to the employee but for such dismissal.

(3) An employer who fails to comply with an order made under subsection 2 is guilty of an offence and on summary conviction is liable to a fine not exceeding \$50 for each day during which the failure continues. *New*.

**36.**—(1) Every person who,

Penalty

- (a) furnishes false or misleading information in any application under this Act or in any statement or return required to be furnished under this Act or the regulations;
- (b) fails to comply with any order, direction or requirement under this Act or the regulations; or
- (c) contravenes any provision of this Act or the regulations for which no penalty is otherwise provided,

is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.



Offence in  
respect  
of each  
employee

(2) Where an employer is convicted of an offence respecting the wages, hours of work, vacation, vacation pay or conditions of work of one or more employees, the offence against each employee shall be deemed to be a separate offence for the purposes of subsection 1. *New.*

Order for  
payment

(3) Where an employer is convicted of an offence including the failure to pay wages or vacation pay in accordance with this Act, the magistrate making the conviction shall, in addition to any other penalty, assess the amount of wages or vacation pay so unpaid in respect of the employee and shall order the employer to pay the amount so assessed to the Director who shall collect and distribute to the employees the amount ordered to be paid.

Enforce-  
ment in  
Division  
Court

(4) A final order for payment under subsection 3 may be filed by the Director in a division court and thereupon the order shall be deemed to be an order of the division court for the purposes of enforcement. R.S.O. 1960, c. 181, s. 12; R.S.O. 1960, c. 240, s. 12, *amended.*

## PART XII

### MISCELLANEOUS

R.S.O. 1960,  
c. 181;  
1961-62,  
c. 58;  
1964, c. 42;  
1966, c. 67;  
R.S.O. 1960,  
c. 240;  
1962-63,  
c. 83,  
repealed

**37.** *The Hours of Work and Vacations with Pay Act, The Hours of Work and Vacations with Pay Amendment Act, 1961-62, The Hours of Work and Vacations with Pay Amendment Act, 1964, The Hours of Work and Vacations with Pay Amendment Act, 1966, The Minimum Wage Act and The Minimum Wage Amendment Act, 1962-63* are repealed.

Commence-  
ment

**38.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**39.** This Act may be cited as *The Employment Standards Act, 1968.*



## CHAPTER 36

## An Act to amend The Evidence Act

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 35a of *The Evidence Act*, as enacted by section 1 of *The Evidence Amendment Act, 1966*, is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 125,  
s. 35a,  
(1966,  
c. 51, s. 1),  
amended

- (2a) Subsection 2 does not apply unless the party tendering the writing or record has given at least seven days notice of his intention to all other parties in the action, and any party to the action is entitled to obtain from the person who has possession thereof production for inspection of the writing or record within five days after giving notice to produce the same.

Notice and  
production

2. Section 50a of *The Evidence Act*, as enacted by section 2 of *The Evidence Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 125,  
s. 50a,  
(1966,  
c. 51, s. 2),  
re-enacted

- 50a.—(1) Any medical report obtained by or prepared for a party to an action and signed by a duly qualified medical practitioner licensed to practise in any part of Canada is, with the leave of the court and after at least seven days notice has been given to all other parties, admissible in evidence in the action.

Medical  
reports

- (2) Unless otherwise ordered by the court, a party to an action is entitled to obtain the production for inspection of any report of which notice has been given under subsection 1 within five days after giving notice to produce the report.

Notice and  
production

- (3) Except by leave of the judge presiding at the trial, a duly qualified medical practitioner who has medically examined any party to the action shall not give evidence at the trial touching upon such examination unless a report thereof has been given to all other parties in accordance with subsection 1.

Report  
required

Where  
doctor  
called  
unnec-  
essarily

- (4) Where a duly qualified medical practitioner has been required to give evidence *viva voce* in an action and the court is of opinion that the evidence could have been produced as effectively by way of a medical report, the court may order the party that required the attendance of the medical practitioner to pay as costs therefor such sum as it deems appropriate.

Commence-  
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Evidence Amendment Act, 1968*.

## CHAPTER 37

**An Act to amend The Executive Council Act**

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 2 of *The Executive Council Act*, as re-enacted by section 1 of *The Executive Council Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 127, s. 2  
(1966,  
c. 52, s. 1),  
re-enacted

**2.** The Lieutenant Governor may appoint under the Great Seal from among the ministers of the Crown the following ministers to hold office during pleasure: a President of the Council, a Minister of Justice and Attorney General, a Provincial Secretary and Minister of Citizenship, a Treasurer of Ontario and Minister of Economics, a Minister of Revenue, a Minister of Lands and Forests, a Minister of Mines, a Minister of Agriculture and Food, a Minister of Public Works, a Minister of Highways, a Minister of Education, a Minister of Labour, a Minister of Health, a Minister of Social and Family Services, a Minister of Municipal Affairs, a Minister of Trade and Development, a Minister of Tourism and Information, a Minister of Correctional Services, a Minister of Transport, a Minister of Energy and Resources Management, a Minister of University Affairs, a Minister of Financial and Commercial Affairs, and such other ministers as he sees fit, and may by order in council prescribe their duties and the duties of the several departments over which they preside, and of the officers and clerks thereof.

Heads of  
departments

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Executive Council Amendment Act, 1968*.

Short title



## CHAPTER 38

**An Act to amend  
The Extra-Judicial Services Act**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Extra-Judicial Services Act*, as amended R.S.O. 1960, c. 128, s. 1, amended by section 1 of *The Extra-Judicial Services Amendment Act, 1964*, is further amended by striking out “\$4,000” in the amendment of 1964 and inserting in lieu thereof “\$6,000”, so that the section shall read as follows:

1. Every judge of the Supreme Court shall be paid out of the Consolidated Revenue Fund the annual sum Annual compensation of \$6,000, payable quarterly, as compensation for the services that he is called on to render by any Act of the Legislature in addition to his ordinary duties.

**2.** This Act comes into force on the 1st day of June, 1968. Commencement

**3.** This Act may be cited as *The Extra-Judicial Services Amendment Act, 1968*. Short title





## CHAPTER 39

## An Act to amend The Family Benefits Act, 1966

*Assented to March 28th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 3 of *The Family Benefits Act, 1966* is amended<sup>1966,  
c. 54, s. 3,  
amended</sup> by adding thereto the following subsection:
  - (3) The Director, with the consent in writing of the Deputy Minister of Social and Family Services, may authorize any employee or class of employee of the Family Benefits Branch of the Department of Social and Family Services to exercise and discharge any of the powers conferred or the duties imposed upon him under this Act.<sup>Delegation  
of power</sup>
2. Section 11 of *The Family Benefits Act, 1966* is repealed<sup>1966,  
c. 54, s. 11,  
re-enacted</sup> and the following substituted therefor:
  - 11.—(1) There shall be a board of review that shall be composed of not more than such number of members as is prescribed by the regulations, who shall be appointed by the Lieutenant Governor in Council.<sup>Board of  
review</sup>
  - (2) One of the members of the board of review shall be appointed by the Lieutenant Governor in Council to be chairman of the board of review and one or more other of the members of the board may be appointed by the Lieutenant Governor in Council to be vice-chairmen of the board.<sup>Chairman  
and vice-  
chairmen</sup>
  - (3) The members of the board of review shall be paid such remuneration and expenses as the Lieutenant Governor in Council from time to time determines.<sup>Remunera-  
tion</sup>
  - (4) Each member of the board of review shall hold office for three years.<sup>Term of  
office</sup>

- Quorum (5) Three members of the board of review constitute a quorum and are sufficient for the exercise of all the powers of the board.
- Staff (6) Such officers, clerks and servants as are from time to time deemed necessary by the Lieutenant Governor in Council for the proper conduct of the business of the board of review may be appointed under *The Public Service Act, 1961-62*.
- 1961-62,  
c. 121
- Sittings (7) Sittings of the board of review may be held at such places in Ontario and at such times as the board deems most convenient for the proper discharge and speedy dispatch of its business.
- Review 11a.—(1) Any applicant or recipient may, by notice in writing served upon the chairman of the board of review, request a hearing and review by the board of a decision, order or directive of the Director affecting the applicant or recipient, as the case may be.
- Notice of hearing (2) Where a hearing and review are requested, the chairman of the board of review shall serve notice upon the applicant or recipient who requested the review notifying him of the time and place of the hearing.
- Powers on review (3) Where a review is taken under this section, the board of review may by its order direct the Director to make such decision as the Director is authorized to make under this Act and as the board deems proper, and thereupon the Director shall act accordingly.
- Notice of decision (4) Notice of the decision of the board of review shall be served forthwith upon the applicant or recipient who requested the review.
- Appeal on question of law 11b.—(1) Where the board of review has reviewed a decision, order or directive and given its decision on the review, the applicant or recipient who requested the review may appeal on a question of law alone to the Court of Appeal.
- Form of appeal (2) Every appeal shall be upon notice of motion served upon the chairman of the board of review within thirty days after the delivery of the notice of decision under subsection 4 of section 11a, and the practice and procedure in relation to the appeal shall be the same as upon an appeal from a report or certificate of a master of the Supreme Court.

- (3) The chairman of the board of review shall certify <sup>Material on appeal</sup> to the Registrar of the Supreme Court,
- (a) the decision, order or directive that has been reviewed by the board;
  - (b) the notice of the hearing before the board;
  - (c) the decision upon the review, together with the reasons therefor;
  - (d) any intermediate rulings or orders made in the course of the proceedings by the board; and
  - (e) all written submissions to the board and other material received by it in connection with the review.
- (4) Where an appeal is taken under this section, the court may by its order direct the Director to make such decision as the Director is authorized to make under this Act and as the court deems proper, and thereupon the Director shall act accordingly. <sup>Order for Director's decision</sup>
- (5) Notwithstanding the decision of the board of review or of the court, a further application for a benefit may be made by the applicant or recipient upon new or other evidence or where it is clear that material circumstances have changed. <sup>Further applications</sup>
- 3.** This Act comes into force on the day it receives Royal Assent. <sup>Commencement</sup>
- 4.** This Act may be cited as *The Family Benefits Amendment Act, 1968*. <sup>Short title</sup>





CHAPTER 40

**An Act to amend  
The Farm Products Marketing Act**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subclause i of clause b of subsection 4 of section 4 of *The Farm Products Marketing Act*, as re-enacted by subsection 4 of section 3 of *The Farm Products Marketing Amendment Act, 1962-63*, is amended by striking out “producers” in the first line and inserting in lieu thereof “persons engaged in the producing, marketing or processing”, so that the subclause shall read as follows:

R.S.O. 1960,  
c. 137, s. 4,  
subs. 4, cl. b,  
subcl. 1  
(1962-63,  
c. 45, s. 3,  
subs. 4),  
amended

- (i) the furnishing to persons engaged in the producing, marketing or processing of a regulated product of copies of the annual statement of operations and the financial report of each local board, and

. . . . .

**2.** Subsection 1 of section 6 of *The Farm Products Marketing Act*, as amended by subsections 1, 2 and 3 of section 5 of *The Farm Products Marketing Amendment Act, 1962-63*, is further amended by adding thereto the following clause:

R.S.O. 1960,  
c. 137, s. 6,  
subs. 1,  
amended

- (ab) designating as The Ontario Apple Marketing Commission any local board constituted under a plan to provide for the control and regulation of the marketing of apples.

**3.** Paragraph 7 of subsection 1 of section 8 of *The Farm Products Marketing Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 137, s. 8,  
subs. 1,  
par. 7,  
re-enacted

- 7. requiring any person who receives a regulated product to deduct from the moneys payable for the regulated product any licence fees payable to the

local

local board by the person from whom he receives the regulated product, and to forward such licence fees to the local board.

R.S.O. 1960,  
c. 137, s. 9,  
subs. 1,  
amended

4.—(1) Subsection 1 of section 9 of *The Farm Products Marketing Act*, as amended by subsections 1 to 7 of section 7 of *The Farm Products Marketing Amendment Act, 1962-63*, is further amended by adding thereto the following clause:

(aa) where a local board has been designated as The Ontario Apple Marketing Commission, vesting in the Commission any or all of the following powers,

- (i) to determine from time to time the price or prices that shall be paid for the regulated product or any class, variety, grade or size of the regulated product to persons engaged in the producing, marketing or processing of the regulated product and to determine different prices for different parts of Ontario,
- (ii) to require the price or prices payable or owing to any person for the regulated product to be paid to or through the Commission,
- (iii) to collect from any person by suit in a court of competent jurisdiction the price or prices or any part thereof of the regulated product owing to any person engaged in the producing, marketing or processing thereof,
- (iv) to pay to any person engaged in the producing, marketing or processing of the regulated product the price or prices for the regulated product less service charges imposed under subclause v of clause a and to fix the times at which or within which such payments shall be made.

R.S.O. 1960,  
c. 137, s. 9,  
subs. 1, cl. c  
(1962-63,  
c. 45, s. 7,  
subs. 7),  
amended

(2) Clause c of subsection 1 of the said section 9, as enacted by subsection 7 of section 7 of *The Farm Products Marketing Amendment Act, 1962-63*, is amended by striking out "producers" in the second line and inserting in lieu thereof "persons engaged in the producing, marketing or processing of the regulated product", so that the clause shall read as follows:

- (c) providing for statements to be given by any local board to persons engaged in the producing, marketing or processing of the regulated product showing

the class, variety, grade or size and the number or quantity of the regulated product marketed, the price or prices paid and the particulars of the service charges imposed by it.

**5.** This Act comes into force on the day it receives Royal <sup>Commence-</sup>  
Assent.<sub>ment</sub>

**6.** This Act may be cited as *The Farm Products Marketing* <sup>Short title</sup>  
*Amendment Act, 1968.*



## CHAPTER 41

## An Act to amend The Financial Administration Act

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *b* of section 1 of *The Financial Administration Act* is amended by adding at the end thereof “or in the name of any agency of the Crown approved by the Lieutenant Governor in Council”, so that the clause shall read as follows: R.S.O. 1960,  
c. 142, s. 1,  
cl. *b*,  
amended

(*b*) “Consolidated Revenue Fund” means the aggregate of all public moneys that are on deposit at the credit of the Treasurer or in the name of any agency of the Crown approved by the Lieutenant Governor in Council.

(2) The said section 1 is amended by adding thereto the following clauses: R.S.O. 1960,  
c. 142, s. 1,  
amended

(*ba*) “Crown” means the Crown in right of Ontario;

. . . . .

(*ca*) “Deputy Treasurer” means the Deputy Treasurer of Ontario and Deputy Minister of Economics.

(3) Clause *h* of the said section 1 is amended by striking out “means” in the first line and inserting in lieu thereof “includes”. R.S.O. 1960,  
c. 142, s. 1,  
cl. *h*,  
amended

(4) Clause *m* of the said section 1 is amended by adding at the end thereof “and Minister of Economics”, so that the clause shall read as follows: R.S.O. 1960,  
c. 142, s. 1,  
cl. *m*,  
amended

(*m*) “Treasurer” means the Treasurer of Ontario and Minister of Economics.



R.S.O. 1960,  
c. 142, s. 2,  
subs. 3  
(1966,  
c. 57, s. 1),  
amended

2. Subsection 3 of section 2 of *The Financial Administration Act*, as re-enacted by section 1 of *The Financial Administration Amendment Act, 1966*, is amended by adding at the end thereof "and the Secretary of the Treasury Board shall rank as and have all the powers of a deputy minister of a department", so that the subsection shall read as follows:

Secretary

(3) The Lieutenant Governor in Council shall appoint an officer to be called the Secretary of the Treasury Board, who shall perform such functions as the Treasury Board may assign to him, and the Secretary of the Treasury Board shall rank as and have all the powers of a deputy minister of a department.

R.S.O. 1960,  
c. 142, s. 3,  
re-enacted

3. Section 3 of *The Financial Administration Act*, as amended by section 2 of *The Financial Administration Amendment Act, 1966*, is repealed and the following substituted therefor:

Duties of  
Treasury  
Board

3.—(1) The Treasury Board shall act as a committee of the Executive Council on all matters relating to finance, revenues, estimates, expenditures, financial commitments, terms of employment of Crown employees, organization and staff establishments and on any other matter concerning general administrative policy in the public service that is referred to the Board by the Executive Council or on which the Board considers it desirable to report to the Executive Council.

Nomination  
of Crown  
employees

(2) The Treasury Board shall nominate and recommend to the Lieutenant Governor in Council the Crown employees who shall constitute the official side of the Joint Council appointed under section 19a of *The Public Service Act, 1961-62*, and such appointees shall be responsible to the Treasury Board.

1961-62,  
c. 121

R.S.O. 1960,  
c. 142, s. 5,  
amended

4. Section 5 of *The Financial Administration Act*, as amended by section 2 of *The Financial Administration Amendment Act, 1965*, is further amended by adding thereto the following clause:

(ab) prescribing salaries of Crown employees that have been determined through negotiation under section 19a or 19b of *The Public Service Act, 1961-62*.

1961-62,  
c. 121

R.S.O. 1960  
c. 142, s. 6,  
re-enacted

5. Section 6 of *The Financial Administration Act* is repealed and the following substituted therefor:

## DEPARTMENT OF TREASURY AND ECONOMICS

6. There shall be a department of the public service <sup>Department of Treasury and Economics</sup> called the Department of Treasury and Economics and over which the Treasurer shall preside.

6. Section 7 of *The Financial Administration Act* is repealed <sup>R.S.O. 1960, c. 142, s. 7, re-enacted</sup> and the following substituted therefor:

- 7.—(1) The Treasurer shall direct and control the <sup>Duties of Treasurer</sup> Department of Treasury and Economics, recommend to the Executive Council financial, economic, accounting and taxation policy, advise on federal-provincial affairs, manage the Consolidated Revenue Fund and all public money and supervise, direct and control all financial, economic, statistical and accounting functions not by law or by the Lieutenant Governor in Council otherwise assigned.

- (2) The Treasurer is responsible for the administration <sup>Acts administered by Treasurer</sup> of this Act, and the Acts that are assigned to him by the Legislature or by the Lieutenant Governor in Council.

- (3) Any power or duty conferred on the Treasurer by this or any other Act may be delegated by him to the Deputy Treasurer or to any officer of the Department of Treasury and Economics who may act for him in his place and stead, and, when the Deputy Treasurer or such other officer acts in the place and stead of the Treasurer, it shall be presumed conclusively that he acted in accordance with such a delegation. <sup>Delegation of powers and duties of Treasurer</sup>

7. Section 9 of *The Financial Administration Act* is repealed <sup>R.S.O. 1960, c. 142, s. 9, re-enacted</sup> and the following substituted therefor:

- 9.—(1) The Lieutenant Governor in Council shall <sup>Deputy Treasurer and Deputy Minister of Economics</sup> appoint a Deputy Treasurer and Deputy Minister of Economics to be the deputy head of the Department of Treasury and Economics.

- (2) Under the direction of the Treasurer, the Deputy Treasurer shall perform such duties as the Treasurer may assign or delegate to him.

8. Sections 10 and 11, section 12, as amended by section 3 <sup>R.S.O. 1960, c. 142, ss. 10-16, repealed</sup> of *The Financial Administration Amendment Act, 1965*, and sections 13, 14, 15 and 16 of *The Financial Administration Act* are repealed.

R.S.O. 1960,  
c. 142, s. 19,  
re-enacted

**9.** Section 19 of *The Financial Administration Act* is repealed and the following substituted therefor:

Public  
money  
to be  
deposited

19.—(1) Subject to this Part, all public money shall be deposited to the credit of the Treasurer.

Establish-  
ment of  
bank  
accounts

(2) The Treasurer shall establish in the name of the Treasurer of Ontario or in the name of any agency of the Crown approved by the Lieutenant Governor in Council, accounts with such banks as he designates for the deposit of public money.

Duty of  
person  
collecting  
public  
money

(3) Every person who collects or receives public money shall pay all money coming into his hands to the credit of the Treasurer of Ontario through such officers, banks or persons and in such manner as the Treasurer directs and shall keep a record of receipts and deposits thereof in such form and manner as the Treasurer directs.

R.S.O. 1960,  
c. 142, s. 20,  
subs. 1,  
re-enacted

**10.** Subsection 1 of section 20 of *The Financial Administration Act* is repealed and the following substituted therefor:

Treasurer  
may  
purchase  
securities

(1) The Treasurer, when he deems it advisable for the sound and efficient management of public money or of the public debt or of any sinking fund may from time to time and on such terms and conditions as he may deem advisable, purchase, acquire and hold,

(a) securities issued by or guaranteed as to principal and interest by Ontario, any other province of Canada, Canada or the United Kingdom; and

(b) securities issued by the United States of America; and

(c) securities issued or guaranteed by the International Bank for Reconstruction and Development payable in Canadian or United States currency; and

(d) deposit receipts, deposit notes, certificates of deposits, acceptances and other similar instruments issued or endorsed by any chartered bank to which the *Bank Act* (Canada) applies,

1966-67,  
c. 87 (Can.)

and pay therefor out of the Consolidated Revenue Fund.

**11.** Subsection 3 of section 22 of *The Financial Administration Act* is amended by striking out "surplus account" in the second line and inserting in lieu thereof "Public Accounts", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 142, s. 22,  
subs. 3,  
amended

- (3) The losses deleted from the accounts during any fiscal year shall be reported in the Public Accounts for that year.

Losses  
reported in  
Public  
Accounts

**12.** Section 22a of *The Financial Administration Act*, as enacted by section 3 of *The Financial Administration Amendment Act, 1966*, is repealed.

R.S.O. 1960,  
c. 142,  
s. 22a  
(1966,  
c. 57, s. 3),  
repealed

**13.** Subsection 2 of section 25 of *The Financial Administration Act* is repealed.

R.S.O. 1960,  
c. 142, s. 25,  
subs. 2,  
repealed

**14.—**(1) Subsection 1 of section 27 of *The Financial Administration Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 142, s. 27,  
subs. 1,  
re-enacted

- (1) Every payment out of the Consolidated Revenue Fund shall be made by cheque which shall be signed by the Treasurer and by the Deputy Treasurer or such other officer of the Department of Treasury and Economics who is for the time being authorized by the Treasurer to sign cheques.

Form of  
payments  
out of Fund

- (2) Subsection 3 of the said section 27 is repealed.

R.S.O. 1960,  
c. 142, s. 27,  
subs. 3,  
repealed

**15.—**(1) Subsection 1 of section 33 of *The Financial Administration Act* is amended by striking out "the Comptroller of Accounts to make" in the second line, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 142, s. 33,  
subs. 1,  
amended

- (1) On the application of a minister, the Treasurer may authorize an accountable advance out of the Consolidated Revenue Fund for the purpose of meeting disbursements for travelling expenses or other contingencies or of making payments on account of expenses incurred or to be incurred.

Accountable  
advances

- (2) Subsection 3 of the said section 33 is repealed.

R.S.O. 1960,  
c. 142, s. 33,  
subs. 3,  
repealed

**16.** Paragraph 2 of section 39 of *The Financial Administration Act* is amended by inserting after "of" in the first line "interest bearing treasury bills and", so that the paragraph shall read as follows:

R.S.O. 1960,  
c. 142, s. 39,  
par. 2,  
amended

2. By the issue and sale of interest bearing treasury bills and non-interest bearing treasury bills which may be in such form and for such separate sums and

may



may be payable at such place or places and at such time or times, not later than twelve months after the date thereof, as the Lieutenant Governor in Council deems expedient.

R.S.O. 1960,  
c. 142, s. 40,  
subs. 1,  
re-enacted

**17.** Subsection 1 of section 40 of *The Financial Administration Act* is repealed and the following substituted therefor:

Raising of  
loans for  
refunding  
purposes

(1) In addition to all money authorized to be raised by way of loan by any other Act, the Lieutenant Governor in Council may raise money by way of loan in such manner and at such times as is deemed expedient by the issue and sale of any class or classes of securities in such amounts as will realize the net sum required for any or all of the following purposes:

1. Payment, refunding or renewal from time to time of the whole or any part of any loan raised or securities issued under this or any other Act, or the reimbursement of the Consolidated Revenue Fund for expenditures made therefrom for the payment of such security within a period of one year after maturity date of such security, notwithstanding that the issue of securities for such purpose may have the effect of increasing the amount of the public debt or of extending the term of years, if any, fixed by the Act authorizing the raising of the loan or the issue of the securities being paid, refunded or renewed.

2. Payment of the whole or any part of any loan or of any liability or of any bonds, debentures or other obligations, payment whereof is guaranteed or assumed by Ontario.

R.S.O. 1960,  
c. 142, s. 41,  
re-enacted

**18.** Section 41 of *The Financial Administration Act* is repealed and the following substituted therefor:

Securities  
may be  
subject  
to call

41. Any securities issued under the authority of this or any other Act heretofore or hereafter passed may be made redeemable or payable in advance of maturity upon such terms and conditions, at such time or times, and at such price or prices as the Lieutenant Governor in Council provides at the time of the issue thereof.

R.S.O. 1960,  
c. 142, s. 42,  
re-enacted

**19.** Section 42 of *The Financial Administration Act* is repealed and the following substituted therefor:



42. The Lieutenant Governor in Council may authorize the Treasurer or any officer of the Department of Treasury and Economics to enter into such contracts and agreements relating to the raising of loans or the issue and sale of securities as the Lieutenant Governor in Council approves, but where the Lieutenant Governor in Council authorizes the raising of a loan by the issue and sale of interest bearing treasury bills or of non-interest bearing treasury bills, he may authorize the Treasurer to offer any such treasury bills for sale on a competitive or other basis and upon such terms and conditions, including the date of issue and the date of maturity thereof, as the Treasurer deems expedient and to sell any or all of such treasury bills in such principal amount or amounts and for such price or prices as the Treasurer accepts.

20. Section 47 of *The Financial Administration Act* is repealed and the following substituted therefor:

47. The Lieutenant Governor in Council may provide for the manner of executing securities and the coupons, if any, attached thereto, and may provide that any signature or signatures upon the securities and the coupons attached thereto may be engraved, lithographed, printed or otherwise mechanically reproduced.

21. Nothing in this Act impairs or prejudicially affects the rights of any holder of any securities issued before this Act comes into force.

22. The Treasurer shall exercise the powers and perform the duties of the Minister of Trade and Development under *The Regional Development Councils Act, 1966* or *The Statistics Act, 1962-63* or any regulation made under either of such Acts.

23. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

24. This Act may be cited as *The Financial Administration Amendment Act, 1968*.



## CHAPTER 42

**An Act to amend The Fire Departments Act***Assented to July 23rd, 1968**Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 12, section 13 as amended by section 1 of *R.S.O. 1960, c. 145, ss. 12-15, repealed* *The Fire Departments Amendment Act, 1966*, and sections 14 and 15 of *The Fire Departments Act* are repealed.

**2.** This Act shall be deemed to have come into force on the 1st day of January, 1968. Commence-  
ment

**3.** This Act may be cited as *The Fire Departments Amend- Short title  
ment Act, 1968.*



CHAPTER 43

An Act to amend The Fire Marshals Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 17 of *The Fire Marshals Act* is repealed.

R.S.O. 1960,  
c. 148, s. 17,  
repealed
2. This Act shall be deemed to have come into force on the 1st day of January, 1968.

Commence-  
ment
3. This Act may be cited as *The Fire Marshals Amendment Act, 1968*.

Short title





## CHAPTER 44

## An Act respecting Forest Fires Prevention

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## INTERPRETATION

## 1. In this Act,

Interpre-  
tation

- (a) "Department" means the Department of Lands and Forests;
- (b) "Minister" means the Minister of Lands and Forests;
- (c) "municipality" means a city, town, village, township or improvement district;
- (d) "officer" includes a fire warden appointed under section 8 and a special officer appointed under section 9 exercising the powers of his appointment;
- (e) "owner" includes a locatee, purchaser from the Crown, assignee, lessee, occupant, purchaser, timber licensee, holder of a mining claim or location, and any person having the right to cut timber or wood upon any land;
- (f) "regulations" means the regulations made under this Act. R.S.O. 1960, c. 152, s. 1, *amended*.

## ADMINISTRATION

2. The administration of this Act is under the control and direction of the Minister. *New.*

Administra-  
tion

3.—(1) This Act applies only to fire districts.

Applica-  
tion of Act

(2) Nothing in this Act affects or shall be held to limit or interfere with the right of any person to bring and maintain a civil action for damages occasioned by fire. R.S.O. 1960, c. 152, s. 2 (1, 3).

Right of  
action for  
damages  
not affected

Appoint-  
ment of  
officers

4. The Minister may appoint officers for carrying out this Act and the regulations. R.S.O. 1960, c. 152, s. 3, *amended*.

Right of  
officer to  
enter on  
premises

5.—(1) Subject to subsection 2, an officer may, for the purposes of this Act, enter into and upon any lands and premises. R.S.O. 1960, c. 152, s. 23, *part, amended*.

Entry to  
dwellings

(2) An officer shall not enter any place actually used as a dwelling without the consent of the occupant except under the authority of a search warrant issued under section 14 of

R.S.O. 1960,  
c. 387

*The Summary Convictions Act. New.*

Informa-  
tion to be  
given to  
officer by  
tourists,  
etc.

6. Every person in a forest or woodland shall, upon request, give an officer information as to his name, address, routes to be followed, location of camps and any other information pertaining to the protection of the forest or woodland from fire. R.S.O. 1960, c. 152, s. 24, *amended*.

Right to  
summon  
assistance

7. For the purpose of controlling and extinguishing a fire, an officer may use any privately-owned equipment and may employ or summon the assistance of any male person between the ages of eighteen and sixty years, except persons providing essential services and persons physically unfit, and on private lands may take such action as he deems advisable to control and extinguish a fire. R.S.O. 1960, c. 152, s. 18 (1), *amended*.

Appoint-  
ment of fire  
wardens

8. The Minister may appoint fire wardens who shall have authority to enforce such of the provisions of this Act and the regulations as are provided in the appointment in the areas specified in the appointment. R.S.O. 1960, c. 152, s. 4, *amended*.

Special  
officers

9.—(1) Where the Minister deems it advisable in the interest of forest protection, he may appoint special officers who shall have authority to enforce this Act and the regulations on the land mentioned in the appointment.

Salaries

(2) The owner of the land mentioned in an appointment made under subsection 1 shall reimburse the Department for the salaries and expenses of the special officers. R.S.O. 1960, c. 152, s. 5, *amended*.

#### FIRE SEASON

Fire season

10. The period from the 1st day of April to the 31st day of October in each year shall be a fire season. R.S.O. 1960, c. 152, s. 6 (1), *amended*.

#### FIRE PERMITS

Prohibition  
against  
fire except  
under fire  
permit

11.—(1) Except under the authority of a fire permit, no person shall start a fire outdoors during a fire season for any purpose other than cooking or obtaining warmth. R.S.O. 1960, c. 152, s. 7 (3), *amended*.

(2) Except under the authority of a fire permit, no person shall ignite fireworks during a fire season in or within 1,000 feet of a forest or woodland. *New.* Prohibition against fireworks except under fire permit

(3) Upon application therefor an officer may issue a fire permit. Issue of fire permit

(4) A fire permit may be limited as to duration and area, but in any event it expires with the fire season and may contain such terms and conditions as the issuing officer deems necessary. Limitations in permit

(5) A fire permit may be cancelled or suspended at any time by an officer, and immediately upon receiving notice of such cancellation or suspension, the permittee shall extinguish any fire started under the permit. R.S.O. 1960, c. 152, s. 7 (1, 4, 5), *amended.* Cancellation or suspension of permit

#### RESTRICTED ZONES

**12.** No person shall start a fire outdoors in a restricted fire zone for the purpose of cooking or obtaining warmth except in a portable stove or charcoal installation. *New.* Camp fires

**13.—**(1) Except under the authority of a forest travel permit, no person shall enter and travel about in a restricted travel zone except, Travel permits

(a) on public roads, not including unopened road allowances, and all lands vested in Her Majesty the Queen as represented by the Minister of Highways;

(b) in cities, towns, villages and police villages;

(c) in supervised camp grounds; and

(d) on waters that are immediately adjacent to any of the parts referred to in clause *a*, *b* or *c*.

(2) Upon application therefor an officer may issue a forest travel permit. Issue

(3) A forest travel permit may be limited as to duration and area, but in any event it expires with the fire season and may contain such terms and conditions as the issuing officer deems necessary. Limitations in permits

(4) A forest travel permit may be cancelled or suspended at any time by an officer. R.S.O. 1960, c. 152, s. 8, *amended.* Cancellation or suspension

Notice of  
regulations

**14.**—(1) The Minister shall provide for such notice as he deems necessary under the circumstances of any regulation made under clause *b* of section 36 in such newspapers and other media as in his opinion will give the greatest publicity.

Burden  
of proof

R.S.O. 1960,  
c. 349

(2) In any prosecution under section 12 or subsection 1 of section 13 in respect of an offence alleged to have been committed prior to publication of the regulation under *The Regulations Act*, the onus is on the person charged to prove he did not have actual notice of the regulation at the time the offence is alleged to have been committed. R.S.O. 1960, c. 152, s. 9 (2, 3), *amended*.

#### WORK PERMITS

Work  
permits

**15.**—(1) Except under the authority of a work permit, no person shall, in or within 1,000 feet of a forest or woodland,

- (a) carry on any logging, mining or industrial operation;
- (b) clear land;
- (c) construct a dam, bridge or camp;
- (d) operate a mill for the purpose of manufacturing timber; or
- (e) carry on any operation liable to cause the accumulation of slash or debris.

Conditions

(2) A work permit may be limited as to duration and area, but in any event it expires with the 31st day of March next following the date of issue and may contain such terms and conditions as the issuing officer deems necessary.

Cancellation

(3) An officer may in the interest of forest protection cancel or suspend a work permit at any time.

*Per diem*  
penalty

(4) Where an officer finds an operation mentioned in subsection 1 being conducted without a work permit, he may order that the operation shall cease until a work permit has been obtained and any person carrying on an operation after such order has been made is, in addition to any penalty imposed, subject to a fine of \$100 for each day such operation is continued without a work permit. R.S.O. 1960, c. 152, s. 10, *amended*.

Person  
to obtain  
work permit

(5) Where a person carries on an operation mentioned in subsection 1 through a servant, contractor, subcontractor or someone on his behalf, he shall obtain any permit required

under



under this Act and he shall be deemed to have committed any offence against this Act or the regulations committed by his servant, contractor, subcontractor or person acting on his behalf in carrying out the operation. *New.*

#### PREVENTION MEASURES

**16.** Every person clearing land shall, subject to the provisions of this Act respecting fire permits, pile and burn all brush, debris, non-merchantable timber and other flammable material cut or accumulated thereon. R.S.O. 1960, c. 152, s. 15 (1), *amended.* Disposal of refuse on land being cleared

**17.** Every person having charge of a camp, a mine, a mill for the purpose of manufacturing timber or a garbage dump that is located in or within 1,000 feet of a forest or woodland shall have the area surrounding the camp, mine, mill or dump cleared of flammable debris for a distance of at least 100 feet and such further distance as may be ordered by an officer. R.S.O. 1960, c. 152, s. 15 (4), *amended.* Clearing in neighbourhood of mills, etc.

**18.—**(1) Where an officer finds on any land, building, structure or equipment a condition that, in his opinion, may cause danger to life or property from fire, the officer may order the owner or person in control thereof or the person who has caused the condition to take such action as the officer deems necessary to remedy the condition, and in default the officer, with such assistants as he requires, may remedy the condition. Power of officer as to fire dangers

(2) The cost and expenses of any action taken by an officer and his assistants under subsection 1 shall be paid by the owner or person in control of the land or the person who has caused the condition and are recoverable by the Crown in right of Ontario in any court of competent jurisdiction. R.S.O. 1960, c. 152, s. 11 (1, 2), *amended.* Cost

**19.** The Minister and the Crown in right of Canada or any province of Canada, any agency of any of them or any municipality may enter into an agreement with respect to the prevention and control of forest fires. R.S.O. 1960, c. 152, s. 14 (1); 1961-62, c. 46, s. 1 (1), *amended.* Agreements for forest fire prevention and control

#### EXTINGUISHMENT OF FIRES

**20.** An officer may at any time in the interest of forest protection extinguish a fire or order any person in charge or apparently in charge of a fire to extinguish the fire. *New.* Extinguishment of fires

Duty of  
municipality

**21.**—(1) Subject to an agreement made under section 19 and to subsection 2, every municipality in a fire district shall at its expense extinguish grass, brush or forest fires within its limits, but where the action taken by it in extinguishing any such fire is in the opinion of an officer not adequate, the officer may take such action as he deems necessary to control and extinguish the fire and the cost and expenses incurred by the Department in controlling and extinguishing the fire are a debt due to the Crown in right of Ontario and shall be paid by the municipality to the Treasurer of Ontario.

Contribution by  
Department

(2) Upon satisfactory proof being furnished by the municipality that a fire has started on Crown land, the cost and expenses of controlling and extinguishing the fire shall be borne by the Department. R.S.O. 1960, c. 152, ss. 16, 17 (1), *amended*.

Reporting  
of fires

**22.** Every person who has started a fire outdoors, or is in charge of a fire outdoors, that is not kept under control shall report the fire without undue delay to an officer and in any prosecution or action the onus is upon him to prove that he so reported the fire. R.S.O. 1960, c. 152, s. 19 (1), *amended*.

Evacuation,  
etc.

**23.**—(1) Where in the opinion of the Minister a forest fire emergency exists, he may by order declare an area to be a forest fire emergency area and may make such orders and take such action as he deems necessary for effectual fire suppression or the safety of or evacuation of persons in the area.

Order not a  
regulation  
R.S.O. 1960,  
c. 349

(2) An order made under subsection 1 is not a regulation within the meaning of *The Regulations Act*. *New*.

#### OFFENCES

Obstruction of  
officers

**24.** No person shall hinder, obstruct or impede an officer in the performance of his duties. R.S.O. 1960, c. 152, s. 23, *part, amended*.

Rendering  
assistance

**25.** No person shall refuse or neglect to provide any privately-owned equipment or to render assistance when required under section 7. R.S.O. 1960, c. 152, s. 18 (2), *amended*.

Accumulation of  
flammable  
refuse

**26.** No person shall within one-half mile of a village, town or city accumulate flammable debris or permit any such accumulation to remain on any property owned by him or under his control. R.S.O. 1960, c. 152, s. 15 (5).

**27.** No person shall smoke while walking or working in a forest or woodland during the fire season. *New.* Smoking prohibited

**28.** No person shall throw or drop, in or within 1,000 feet of a forest or woodland, Smoking material, etc.

(a) a lighted match, cigarette, cigar or other smoking material;

(b) live coals; or

(c) hot ashes. R.S.O. 1960, c. 152, s. 22, *part, amended.*

**29.** No person who discharges a fire-arm or flare in or within 1,000 feet of a forest or woodland shall leave any residue from the discharge unextinguished. R.S.O. 1960, c. 152, s. 22, *part, amended.* Discharge of firearms

**30.** No person shall, without lawful authority, tear down, remove, damage, deface or interfere with any notice or sign put up, posted or placed by the Department for the purposes of fire prevention. R.S.O. 1960, c. 152, s. 22, *part, amended.* Destruction of notices or signs

**31.** No person shall, without lawful authority, tear down, remove, damage, deface or interfere with any equipment, building or structure placed in a forest or woodland for the purpose of protecting the forest. R.S.O. 1960, c. 152, s. 22, *part, amended.* Destruction of equipment, etc.

**32.** No person shall use or operate in or within 1,000 feet of a forest or woodland any burner, chimney, engine, incinerator or other spark-emitting outlet that is not provided with an adequate device for arresting sparks. R.S.O. 1960, c. 152, s. 20 (1), *amended.* Spark arresters

**33.** The provisions of any order, rule or direction of the Canadian Transport Commission and of the railway transport committee established by that commission respecting the prevention and control of fires apply *mutatis mutandis* to any railway that is subject to the legislative jurisdiction of Ontario. R.S.O. 1960, c. 152, ss. 20 (2, 3), 21, *amended.* Railways

#### PENALTIES

**34.**—(1) Every person who disobeys or refuses or neglects to carry out any of the provisions of this Act or the regulations or of any order made thereunder or any condition of any permit issued thereunder is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000 or to imprisonment for a term of not more than three months, Offences

or to both, and such person is also liable to the Crown in right of Ontario for any cost and expenses incurred by the Department in endeavouring to control or extinguish any fire caused by or resulting from such disobedience, refusal or neglect. R.S.O. 1960, c. 152, s. 25 (1); 1960-61, c. 31, s. 1, *amended*.

Recovery  
of expenses

(2) The cost and expenses for which a person is liable under subsection 1 are recoverable with costs in any court of competent jurisdiction as a debt due, but where the amount claimed does not exceed \$1,000 and proceedings are taken under *The Summary Convictions Act* in respect of the disobedience, refusal or neglect, the magistrate, upon making a conviction, may order payment of such amount to the Treasurer of Ontario and every such order may be enforced in the same manner as a division court judgment. R.S.O. 1960, c. 152, s. 25 (2), *amended*.

R.S.O. 1960,  
c. 387

Onus  
of proof

(3) In any prosecution under a section of this Act that requires a permit, the onus is on the person charged to prove that he had a permit at the time the offence is alleged to have been committed. *New*.

#### REGULATIONS

Regulations  
by Lt. Gov.  
in Council

**35.** The Lieutenant Governor in Council may make regulations,

- (a) declaring parts of Ontario to be fire districts and declaring the name that each fire district shall bear;
- (b) governing the issue, form, refusal and cancellation of permits or any class of them and prescribing their terms and conditions;
- (c) designating classes of operations and activities and governing the equipment, staff and precautions to be provided or observed in respect of fire prevention or suppression by persons engaged in any class of operation or activity;
- (d) governing the use of portable stoves and charcoal installations in a restricted fire zone;
- (e) prescribing forms and providing for their use;
- (f) respecting any matter necessary or advisable to carry out effectively forest fire prevention and the intent and purpose of this Act. R.S.O. 1960, c. 152, s. 26, *amended*.



**36.** The Minister may make regulations,

Regulations  
by Minister

- (a) declaring any period between the 1st day of January and the 31st day of March, both inclusive, or between the 1st day of November and the 31st day of December, both inclusive, in any year to be a fire season in a fire district or any part of a fire district;
- (b) declaring any fire district or part of a fire district to be a restricted fire zone or restricted travel zone for any period;
- (c) fixing the rates of pay for persons employed or summoned under section 7. R.S.O. 1960, c. 152, s. 6 (2), *amended*.

**37.** *The Forest Fires Prevention Act, The Forest Fires Prevention Amendment Act, 1960-61 and The Forest Fires Prevention Amendment Act, 1961-62* are repealed.

R.S.O. 1960,  
c. 152;  
1960-61,  
c. 31;  
1961-62,  
c. 46,  
repealed

**38.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Commence-  
ment

**39.** This Act may be cited as *The Forest Fires Prevention Act, 1968*.

Short title





## CHAPTER 45

**An Act to provide for the  
Control of Forest Tree Pests**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "control measures" includes measures to prevent, retard, suppress, eradicate or destroy;
- (b) "forest tree pest" means any vertebrate or invertebrate animal or any virus, fungus, or bacterium or other organism that is injurious to trees commonly found growing in a forest or windbreak or the products from such trees and that is designated as a forest tree pest in the regulations;
- (c) "infestation" means an actual or potential infestation or infection by a forest tree pest;
- (d) "Minister" means the Minister of Lands and Forests;
- (e) "officer" means a person appointed by the Minister for the purposes of this Act;
- (f) "regulations" means the regulations made under this Act.

**2.** The Minister may appoint officers for the purpose of carrying out this Act.

Appoint-  
ment of  
officers

**3.** An officer, with or without the consent of the owner, may enter upon any land between sunrise and sunset and make an inspection of the land and the trees and forest products thereon to detect and appraise an infestation.

Powers of  
officer

Control  
measures

4. Where in the opinion of the Minister the control of an infestation on any land is in the public interest, the Minister may direct an officer to enter upon the land and, at the expense of the Crown, take such control measures as he deems advisable in the circumstances.

Obstruc-  
tion of  
officers

5.—(1) No person shall hinder, obstruct or impede an officer in the performance of his duty.

## Penalty

(2) Every person who contravenes subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.

Regula-  
tions

6.—(1) The Lieutenant Governor in Council may make regulations designating forest tree pests for the purposes of this Act.

Regula-  
tion may be  
limited

(2) Any regulation made under subsection 1 may be limited territorially or as to time or otherwise.

Commence-  
ment

7. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

## Short title

8. This Act may be cited as *The Forest Tree Pest Control Act, 1968*.

CHAPTER 46

An Act to repeal The Fruit Packing Act

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Fruit Packing Act* is repealed.

R.S.O. 1960,  
c. 156,  
repealed
2. This Act comes into force on the day it receives Royal Assent.

Commence-  
ment
3. This Act may be cited as *The Fruit Packing Repeal Act*, 1968.

Short title





## CHAPTER 47

## An Act to amend The Gasoline Tax Act

*Assented to April 11th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 2 of *The Gasoline Tax Act*, <sup>R.S.O. 1960,</sup>  
as amended by section 1 of *The Gasoline Tax Amendment Act*, <sup>c. 162, s. 2,</sup>  
1966, is further amended by striking out “16” in the amend- <sup>subs. 1,</sup>  
ment of 1966 and inserting in lieu thereof “18”, so that the <sup>amended</sup>  
subsection shall read as follows:

(1) Every purchaser of gasoline shall pay to the Min- <sup>Tax</sup>  
ister for the use of the Crown in right of Ontario <sup>payable by</sup>  
a charge or tax at the rate of 18 cents per imperial <sup>purchaser</sup>  
gallon on all gasoline purchased or delivery of which  
is received by him.

(2) Subsection 2 of the said section 2, as enacted by <sup>R.S.O. 1960,</sup>  
section 2 of *The Gasoline Tax Amendment Act*, 1962-63, is <sup>c. 162, s. 2,</sup>  
amended by striking out “2” in the third line and inserting <sup>subs. 2,</sup>  
in lieu thereof “3”, so that the subsection shall read as follows: <sup>(1962-63,</sup>  
<sup>c. 51, s. 2),</sup>  
<sup>amended</sup>

(2) Every purchaser of aviation fuel shall pay to the <sup>Tax on</sup>  
Minister for the use of the Crown in right of Ontario <sup>aviation</sup>  
a charge or tax at the rate of 3 cents per imperial <sup>fuel</sup>  
gallon on all aviation fuel purchased or the delivery  
of which is received by him.

2. This Act shall be deemed to have come into force on <sup>Commence-</sup>  
the 13th day of March, 1968. <sup>ment</sup>

3. This Act may be cited as *The Gasoline Tax Amendment* <sup>Short title</sup>  
*Act, 1968.*



## CHAPTER 48

**An Act to amend  
The General Welfare Assistance Act**

*Assented to March 28th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The General Welfare Assistance Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 164,  
amended

- 7d.**—(1) In this section, “welfare administrator” means Welfare admin-  
istrator  
defined  
municipal welfare administrator or regional welfare administrator, as the case may be.
- (2) Any applicant or recipient affected by a decision, Application  
for review  
order or directive made under this Act or the regulations by a welfare administrator, in respect of the payment of a class of assistance prescribed as general in the regulations, may request a hearing and review of the decision, order or directive by the board of review appointed under *The Family Benefits Act*, 1966, c. 54 1966.
- (3) The provisions of *The Family Benefits Act*, 1966 Provisions  
of 1966,  
c. 54  
to apply  
relating to the powers, duties and procedures of the board of review appointed under that Act, and relating to procedure on appeals therefrom to the Court of Appeal, apply *mutatis mutandis* to a hearing and review by the board under this Act.

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The General Welfare Assistance Amendment Act*, 1968. Short title



## CHAPTER 49

**An Act to amend  
The Highway Improvement Act**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 23 of *The Highway Improvement Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 171, s. 23,  
re-enacted

**23.** The Minister and any municipality may enter into an agreement for the preparation of a report, being a study of the development and improvement of the road system in the municipality, and the Minister may direct payment out of the moneys appropriated therefor by the Legislature of a sum not exceeding 75 per cent of the cost of the report. Highway  
needs  
study  
report

**2.** Section 37 of *The Highway Improvement Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 171, s. 37,  
amended

**(7)** Any road heretofore or hereafter closed under this section by the Minister in accordance with the approval of the Board by the placing or erecting of a fence, barricade or other work on the limit of a controlled-access highway shall be deemed to have been thereby legally closed. Effect of  
physical  
closing

**3.** Subsection 5 of section 42 of *The Highway Improvement Act* is amended by inserting after "should" in the third line "establish a local roads area and maintain it under *The Local Roads Boards Act, 1964* or", so that the subsection shall read as follows: R.S.O. 1960,  
c. 171, s. 42,  
subs. 5,  
amended

**(5)** Where the Minister deems it desirable that persons who own land in territory without municipal organization in which a tertiary road is situate should establish a local roads area and maintain it under *The Local Roads Boards Act, 1964* or elect road Mainten-  
ance con-  
tributions

commissioners



R.S.O. 1960,  
cc. 382, 249

commissioners and maintain it under *The Statute Labour Act* or become incorporated under *The Municipal Act* or otherwise contribute to its maintenance, it shall not be maintained by the Department unless the interested persons enter into an agreement with the Minister for such maintenance, and the agreement shall provide that not more than 50 per cent of the cost of the work shall be paid out of moneys appropriated therefor by the Legislature.

R.S.O. 1960,  
c. 171, s. 91,  
subs. 1,  
repealed

4.—(1) Subsection 1 of section 91 of *The Highway Improvement Act* is repealed.

R.S.O. 1960,  
c. 171, s. 91,  
subs. 2,  
amended

(2) Subsection 2 of the said section 91 is amended by inserting after “with” in the first line “the local roads board elected under *The Local Roads Boards Act, 1964* or with”, so that the subsection shall read as follows:

Arrange-  
ments for  
construc-  
tion or  
mainten-  
ance  
1964, c. 56  
R.S.O. 1960,  
c. 382

(2) The Minister may arrange with the local roads board elected under *The Local Roads Boards Act, 1964* or with the road commissioners elected under *The Statute Labour Act* or with a person who is the owner of land in territory without municipal organization for the construction or maintenance of a road therein, and the Minister may direct payment out of the moneys appropriated therefor by the Legislature of an amount equal to such proportion of the cost of the work as he deems requisite.

Commence-  
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Highway Improvement Amendment Act, 1968*.

## CHAPTER 50

## An Act to amend The Highway Traffic Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Paragraph 15 of subsection 1 of section 1 of *The Highway Traffic Act* is amended by inserting after “a” in the fifth line “motorized snow vehicle”, so that the paragraph shall read as follows: R.S.O. 1960  
c. 172, s. 1,  
subs. 1,  
par. 15,  
amended

15. “motor vehicle” includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of this Act.

(2) Paragraph 29 of subsection 1 of the said section 1 is amended by striking out “but not including” in the fourth and fifth lines and inserting in lieu thereof “but does not include a motorized snow vehicle”, so that the paragraph shall read as follows: R.S.O. 1960,  
c. 172, s. 1,  
subs. 1,  
par. 29,  
amended

29. “vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled, or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle, the cars of electric or steam railways running only upon rails.

**2.** Section 5 of *The Highway Traffic Act* is amended by adding thereto the following clause: R.S.O. 1960,  
c. 172, s. 5,  
amended

- (c) providing for the payment of fees upon application to the Department for any approval required under this Act in respect of any equipment to be used on a vehicle and prescribing the amount of such fees.

R.S.O. 1960,  
c. 172, s. 9,  
subs. 1  
(1965,  
c. 46, s. 2),  
cl. 6,  
amended

3. Clause *e* of subsection 1 of section 9 of *The Highway Traffic Act*, as re-enacted by section 2 of *The Highway Traffic Amendment Act, 1965*, is amended by inserting after "forward" in the first line "to the Department", so that the clause shall read as follows:

- (e) does not, within six days, forward to the Department a notice on the prescribed form of the sale or purchase by or to him of a motor vehicle, trailer or conversion unit for which a permit has been issued,

R.S.O. 1960,  
c. 172, s. 13,  
subs. 4,  
re-enacted

4. Subsection 4 of section 13 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Re-exam-  
ination

- (4) The holder of an operator's licence shall submit to such examination in respect of the operation of a motor vehicle as and when required by the Minister and,

- (a) the licence of any such person who fails to take or complete such examination when required shall be cancelled by the Minister; and

- (b) the licence of any such person who completes such examination may be confirmed, suspended, cancelled or re-issued in accordance with subsection 3 by the Minister.

R.S.O. 1960,  
c. 172, s. 15,  
(1966,  
c. 64, s. 4),  
cl. a,  
re-enacted

5. Clause *a* of section 15 of *The Highway Traffic Act*, as re-enacted by section 4 of *The Highway Traffic Amendment Act, 1966*, is repealed and the following substituted therefor:

- (a) a resident of any other province of Canada, who is at least sixteen years of age and has complied with the law of the province in which he resides as to the licensing of motor vehicle operators or chauffeurs.

R.S.O. 1960,  
c. 172, s. 16,  
subs. 8,  
re-enacted

6. Subsection 8 of section 16 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Re-exam-  
ination

- (8) The holder of a chauffeur's licence shall submit to such examination in respect of the operation of a motor vehicle as and when required by the Minister and,

- (a) the licence of any such person who fails to take or complete such examination when required shall be cancelled by the Minister; and

(b)

- (b) the licence of any such person who completes such examination may be confirmed, suspended, cancelled or re-issued in accordance with subsection 3 by the Minister.

7. Section 33 of *The Highway Traffic Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 172, s. 33,  
amended

- (9a) Notwithstanding subsection 9, a truck tractor operated on a highway without a trailer or semi-trailer is not required to carry the three red lamps displaying red lights to the rear. Rear  
identifica-  
tion lamps  
on tractors  
without  
trailer

8. Section 37 of *The Highway Traffic Act*, as amended by section 4 of *The Highway Traffic Amendment Act, 1964*, is further amended by adding thereto the following subsection: R.S.O. 1960,  
c. 172, s. 37,  
amended

- (3a) Every motor vehicle other than a motorcycle shall be equipped with an odometer in good working order. Odometers

9. *The Highway Traffic Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 172,  
amended

- 42a.—(1) Every farm tractor and self-propelled implement of husbandry when operated on a highway or any vehicle towed by either of them, shall have a slow moving vehicle sign attached to the rear thereof in accordance with the regulations. Slow  
moving  
vehicle  
signs

- (2) The Lieutenant Governor in Council may make regulations prescribing the type and specifications of the sign referred to in subsection 1, and the location thereof on the vehicle. Regulations

10. Section 49 of *The Highway Traffic Act*, as re-enacted by section 6 of *The Highway Traffic Amendment Act, 1967*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 172, s. 49  
(1967,  
c. 35, s. 6),  
re-enacted

- 49.—(1) Except as provided in subsection 2, every dealer in used motor vehicles, before he enters into a contract to sell a used motor vehicle, shall give to the purchaser a certificate of mechanical fitness as prescribed by the regulations that is duly completed and signed by the dealer. Certificate  
of mechan-  
ical fitness  
to be given  
by dealer

- (2) When a dealer in used motor vehicles sells a used motor vehicle that cannot be certified as mechanically fit as provided in subsection 1, he shall forward to Sale by  
dealer of  
used motor  
vehicle for  
which  
certificate  
cannot be  
given



the Department the notice required under clause *e* of subsection 1 of section 9 together with the number plates and permit issued with respect to such motor vehicle.

Certificate  
to be  
produced  
on transfer  
of used  
motor  
vehicle

- (3) The Department shall not issue a permit or number plates to any person upon an application,

(a) except as provided in subsection 4 to transfer a used motor vehicle; or

(b) to register a used motor vehicle in Ontario that is registered in another jurisdiction,

unless there is produced a valid certificate of mechanical fitness respecting such vehicle as prescribed by the regulations that is given by a dealer under subsection 1 or that is duly completed and signed by the holder of a subsisting certificate of qualification as a motor mechanic under *The Apprenticeship and Tradesmen's Qualification Act, 1964*.

1964, c. 3

Application  
of subsection  
3 to  
commercial  
motor  
vehicles

- (4) Subsection 3 does not apply to a commercial motor vehicle currently registered in another jurisdiction and owned by a person who does not reside in Ontario.

Where  
certificate  
not  
produced

- (5) Where a person applies for the transfer of a used motor vehicle and does not produce a valid certificate of mechanical fitness respecting such vehicle as required by subsection 3, he shall forward to the Department the notice required under clause *e* of subsection 1 of section 9 together with the number plates and permit issued with respect to such motor vehicle.

Issue of  
permit  
when  
certificate  
not  
produced

- (6) The Department, upon receipt of the notice together with the number plates and permit under subsection 2 or 5 shall issue with respect to such motor vehicle a permit marked "unfit motor vehicle" and number plates shall not be issued under Part II for such motor vehicle until a valid certificate of mechanical fitness as required by subsection 3 is produced for such motor vehicle.

Application  
to dealers

- (7) Subsections 1, 2, 3 and 5 do not apply to the sale or transfer of a used motor vehicle to a dealer in used motor vehicles.



- (8) Subsection 2 of section 2 of *The Motor Vehicle Accident Claims Act, 1961-62* does not apply upon the issuance or transfer of a permit where such permit is marked "unfit motor vehicle" but does apply upon the issuance by the Department of number plates for such motor vehicle. Application of 1961-62, c. 84, s. 2, subs. 2, to issuance of unfit motor vehicle permit

- (9) Every dealer who contravenes subsection 1 or 2 is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$300. Penalty for contravention of subsection 1 or 2 by dealer

- (10) Every person who makes a false statement in a certificate of mechanical fitness is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$300. Penalty for false statement in certificate

- (11) The Lieutenant Governor in Council may make regulations, Regulations re certificates of mechanical fitness

(a) prescribing the form and content of certificates of mechanical fitness;

(b) prescribing inspection procedures, inspection requirements and performance standards of those items to be inspected under a certificate of mechanical fitness;

(c) prescribing the term of validity of a certificate of mechanical fitness.

**11.** Section 50a of *The Highway Traffic Act*, as enacted by section 10 of *The Highway Traffic Amendment Act, 1966*, is amended by adding thereto the following subsection: R.S.O. 1960, c. 172, s. 50a (1966, c. 64, s. 10), amended

- (2) Any regulation may adopt by reference, in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code, and may require compliance with any code that is so adopted. Codes

**12.** *The Highway Traffic Act* is amended by adding thereto the following section: R.S.O. 1960, c. 172, amended

51a.—(1) No person shall ride on or operate a motorcycle on a highway unless he is wearing a helmet that complies with the regulations. Motorcycle riders to wear helmets

- (2) The Lieutenant Governor in Council may make regulations, Regulations

(a) prescribing the standards and specifications of helmets referred to in subsection 1;

(b)

- (b) providing for and requiring the identification and marking of such helmets.

## Codes

- (3) Any regulation may adopt by reference in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code, and may require compliance with any code that is so adopted.

R.S.O. 1960,  
c. 172, s. 52,  
subs. 2a  
(1966,  
c. 64, s. 11,  
subs. 2),  
amended

**13.** Subsection 2a of section 52 of *The Highway Traffic Act*, as re-enacted by subsection 2 of section 11 of *The Highway Traffic Amendment Act, 1966* and amended by section 7 of *The Highway Traffic Amendment Act, 1967*, is further amended by striking out "30th day of June, 1968" in the seventh line and in the amendment of 1967 and inserting in lieu thereof "31st day of December, 1969", so that the subsection shall read as follows:

Moving of  
three-axle  
semi-trailers  
or pole-  
trailers  
registered  
prior to  
July 1, 1961

- (2a) Notwithstanding paragraph 6 of subsection 2, a semi-trailer or a pole-trailer referred to in such paragraph 6 that was registered under this Act prior to the 1st day of July, 1961, subject to section 6, may be moved with a gross weight not exceeding 40,000 pounds on a Class A Highway until and including the 31st day of December, 1969.

R.S.O. 1960,  
c. 172, s. 58,  
subs. 1,  
amended

**14.** Subsection 1 of section 58 of *The Highway Traffic Act*, as amended by subsection 1 of section 11 of *The Highway Traffic Amendment Act, 1961-62*, is further amended by striking out "96" in the second line and inserting in lieu thereof "102", so that the subsection shall read as follows:

Width of  
vehicle

- (1) No vehicle, including load or contents, shall have a greater width than 102 inches, except traction engines or threshing machines which may have a total width of 110 inches, and except loads of loose fodder and except motor vehicles and road-building machines while being used for the removal of snow from a highway.

R.S.O. 1960,  
c. 172, s. 59,  
amended

**15.** Section 59 of *The Highway Traffic Act* is amended by adding thereto the following subsection:

Suspension  
of licence  
on  
conviction

- (13) Where a magistrate has convicted a person for a contravention of any provision of this section and has determined that the person convicted was driving at a rate of speed of 30 or more miles per hour greater than the maximum speed limit, he may suspend the driver's licence of such person for a period of not more than 30 days.

**16.**—(1) Subsection 3 of section 68 of *The Highway Traffic Act* is amended by inserting after “of” where it occurs the first time in the eighth line “and as closely as practicable to”, so that the subsection shall read as follows: R.S.O. 1960,  
c. 172, s. 68,  
subs. 3,  
amended

- (3) The driver or operator of a vehicle intending to turn to the left into an intersecting highway at an intersection where traffic is permitted to move in both directions on each highway entering the intersection shall approach such intersection as closely as practicable to the centre line of the highway and the left turn shall be made by passing to the right of such centre line where it enters the intersection, and upon leaving the intersection by passing to the right of and as closely as practicable to the centre line of the highway then entered. intersection  
of two-way  
highways

(2) Subsection 4 of the said section 68 is amended by inserting after “pass” in the sixth line “to the right of and”, so that the subsection shall read as follows: R.S.O. 1960,  
c. 172, s. 68,  
subs. 4,  
amended

- (4) The driver or operator of a vehicle intending to turn to the left from a highway designated for use of one-way traffic into an intersecting highway on which traffic is permitted to move in both directions shall approach the intersection as closely as practicable to the left curb or edge of the roadway and on entering the intersection shall pass to the right of and as closely as practicable to the centre line of the highway being entered where it enters the intersection. from  
one-way  
highway

(3) The said section 68 is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 172, s. 68,  
amended

- (7) The provisions of subsections 1, 2, 3, 4, 5 and 6 are subject to clause *c* of section 76. Provisions  
subject  
to cl. *c*  
of s. 76

**17.** Section 69 of *The Highway Traffic Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 172, s. 69,  
amended

- (4a) No person while operating or in control of a vehicle upon a highway shall actuate the mechanical or electrical device referred to in subsection 4 for any purpose other than to indicate a movement referred to in subsection 1 or 1a. Signalling  
devices  
to be used  
only for  
purpose of  
indicating  
turn

**18.**—(1) Section 70 of *The Highway Traffic Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 172, s. 70,  
amended

flashing  
green

- (3a) When a green light illuminated by rapid intermittent flashes is shown at an intersection, the driver or operator of a vehicle or car of an electric railway that is approaching the intersection and facing such light may, notwithstanding subsection 2 of section 68, proceed across the intersection or turn left or right.

R.S.O. 1960,  
c. 172, s. 70,  
subs. 11,  
re-enacted

- (2) Subsection 11 of the said section 70 is repealed and the following substituted therefor:

Pedestrian  
rules re  
green  
signal

- (11) Subject to subsection 11a, a pedestrian approaching and facing a green light shown at an intersection may proceed across the roadway, provided that, where markings upon the roadway indicate the portion of the roadway to be used by pedestrian traffic, the pedestrian shall proceed within the marked portion.

flashing  
green

- (11a) A pedestrian approaching and facing a green light illuminated by rapid intermittent flashes at an intersection shall not proceed across the roadway except in accordance with subsection 13.

R.S.O. 1960,  
c. 172, s. 76,  
cl. c,  
re-enacted

- 19.** Clause *c* of section 76 of *The Highway Traffic Act* is repealed and the following substituted therefor:

- (c) any lane may be designated for slowly moving traffic or traffic moving in a particular direction provided that official signs are erected to indicate such designation, and, notwithstanding section 68, where a highway is so designated the driver of every vehicle shall obey the direction on the official signs.

R.S.O. 1960,  
c. 172, s. 94  
(1960-61,  
c. 34, s. 12),  
amended

- 20.** Section 94 of *The Highway Traffic Act* is amended by adding thereto the following subsection:

Application  
of subsec-  
tions 2 and  
3 to certain  
municipal-  
ities

R.S.O. 1960,  
c. 362

1968, c. 115

- (3a) The council of a defined city under Part VI of *The Secondary Schools and Boards of Education Act*, the council of a municipality in the school division under the jurisdiction of The Ottawa Board of Education, and the council of the Regional Corporation under *The Regional Municipality of Ottawa-Carleton Act, 1968*, in relation to highways under its jurisdiction in such school division, and the council of an area municipality and of the Metropolitan Corporation under *The Municipality of Metropolitan Toronto Act* may provide by by-law that subsections 2 and 3 do not apply to the highways under its jurisdiction.

R.S.O. 1960,  
c. 260



**21.** Section 96 of *The Highway Traffic Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 172, s. 96,  
amended

- (3) No person shall attach himself to the outside of a vehicle or street car on a roadway for the purpose of being drawn along the roadway. Persons  
clinging to  
vehicles

**22.** *The Highway Traffic Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 172,  
amended

99a.—(1) The Lieutenant Governor in Council may make regulations, Tunnels,  
regulations

(a) designating any part of a highway as a tunnel;

(b) providing for the erection of signs and the placing of markings,

(i) on any highway approaching any part of a highway designated as a tunnel,

(ii) on any part of a highway designated as a tunnel,

and prescribing the types of such signs and markings and the location of each type of sign and marking;

(c) prohibiting or regulating the use of that part of the highway designated as a tunnel by pedestrians, animals or any class or classes of vehicles;

(d) prohibiting or regulating the transportation of explosives and dangerous materials or any class thereof by a vehicle on that part of a highway designated as a tunnel.

(2) Every driver or operator of a vehicle shall obey the instructions or directions indicated on any sign so erected. Signs  
to be  
obeyed

**23.** Subsection 2 of section 100a of *The Highway Traffic Act*, as enacted by section 13 of *The Highway Traffic Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 172,  
s. 100a,  
subs. 2  
(1964,  
c. 38, s. 13),  
re-enacted

(2) The council of a municipality may by by-law prohibit pedestrians or the use of bicycles or animals on any highway or portion of a highway under its jurisdiction on which the maximum speed limit is 50 miles per hour or more. Prohibiting  
bicycles,  
etc., on  
municipal  
highways



R.S.O. 1960,  
c. 172,  
amended

**24.** *The Highway Traffic Act* is amended by adding thereto the following section:

Riding in  
house or  
boat  
trailers  
prohibited

100c.—(1) No driver of a motor vehicle to which a house trailer or boat trailer is attached shall operate such motor vehicle on a highway if the trailer is occupied by any person.

Penalty

(2) Every person who contravenes subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not less than \$25 and not more than \$100.

R.S.O. 1960,  
c. 172,  
s. 145a  
(1967,  
c. 35, s. 13),  
re-enacted

**25.** Section 145a of *The Highway Traffic Act*, as enacted by section 13 of *The Highway Traffic Amendment Act, 1967*, is repealed and the following substituted therefor:

Report of  
medical  
practitioner

145a.—(1) Every legally qualified medical practitioner shall report to the Registrar the name, address and clinical condition of every person sixteen years of age or over attending upon the medical practitioner for medical services, who in the opinion of such medical practitioner is suffering from a condition that may make it dangerous for such person to operate a motor vehicle.

No action  
for com-  
plying with  
subs. 1

(2) No action shall be brought against a qualified medical practitioner for complying with this section.

Reports  
privileged

(3) The report referred to in subsection 1 is privileged for the information of the Registrar only and shall not be open for public inspection, and such report is inadmissible in evidence for any purpose in any trial except to prove compliance with subsection 1.

R.S.O. 1960,  
c. 172, s. 152,  
subs. 1  
(1960-61,  
c. 34, s. 16),  
amended

**26.** Subsection 1 of section 152 of *The Highway Traffic Act*, as re-enacted by section 16 of *The Highway Traffic Amendment Act, 1960-61*, is amended by inserting after "parking" in the eighth line "or the clerk of the court in which the conviction is made", so that the subsection shall read as follows:

Report on  
conviction  
to Registrar

(1) A judge, magistrate or justice of the peace who makes a conviction for an offence under this Act or under any other Act of the Legislature or the Parliament of Canada or any regulation or order made under any of them committed by means of a motor vehicle, or for an offence under a municipal by-law regulating traffic on the highways, except convictions for offences for standing or parking, or the clerk of the court in which the conviction is

made, shall forthwith certify the conviction to the Registrar, setting out the name, address and description of the person convicted, the number of his operator's or chauffeur's licence, the number of the permit of the motor vehicle with which the offence was committed, the time the offence was committed and the provision of the Act, regulation, order or by-law contravened.

**27.**—(1) This Act, except sections 1, 8, 9, 10, 12, 13, 16, 17, 18, 19, 21 and 24, comes into force on the day it receives Royal Assent. <sup>Commence-  
ment</sup>

(2) Section 13 comes into force on the 1st day of July, 1968. <sup>Idem</sup>

(3) Sections 1, 8, 9, 12, 16, 17, 18, 19, 21 and 24 come into force on the 1st day of September, 1968. <sup>Idem</sup>

(4) Section 10 comes into force on the 1st day of November, 1968. <sup>Idem</sup>

**28.** This Act may be cited as *The Highway Traffic Amendment Act, 1968*. <sup>Short title</sup>



## CHAPTER 51

**An Act to amend  
The Homes for Retarded Persons Act, 1966**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *c* of section 1 of *The Homes for Retarded Persons Act, 1966* is repealed and the following substituted therefor: 1966, c. 65,  
s. 1, cl. c,  
re-enacted

(c) "corporation" means a corporation without share capital having objects of a charitable nature,

(i) to which Part III of *The Corporations Act* R.S.O. 1960,  
o. 71 applies, or

(ii) that is incorporated under a general or special Act of the Parliament of Canada.

2. Section 3 of *The Homes for Retarded Persons Act, 1966* 1966, c. 65,  
s. 3,  
amended is amended by adding at the end thereof "and such approval may take effect on any date fixed by the Lieutenant Governor in Council that is prior to the date on which the approval is given, but in no case shall the date on which the approval takes effect precede the date of the approval given under section 2 to the corporation maintaining and operating the home for retarded persons", so that the section shall read as follows:

3. The Lieutenant Governor in Council may approve Approval  
of homes any home for retarded persons for the purposes of this Act and such approval may take effect on any date fixed by the Lieutenant Governor in Council that is prior to the date on which the approval is given, but in no case shall the date on which the approval takes effect precede the date of the approval given under section 2 to the corporation maintaining and operating the home for retarded persons.

1966, c. 65,  
s. 8,  
re-enacted

**3.** Section 8 of *The Homes for Retarded Persons Act, 1966* is repealed and the following substituted therefor:

Mainten-  
ance and  
operating  
grants

8. There shall be paid to an approved corporation, out of moneys appropriated therefor by the Legislature, an amount equal to 80 per cent of the cost, computed in accordance with the regulations, of residential accommodation provided in an approved home that is maintained and operated by the corporation for persons who are not wards of the Crown or wards of a children's aid society under *The Child Welfare Act, 1965*.

1965, c. 14

1966, c. 65,  
s. 9,  
repealed

**4.** Section 9 of *The Homes for Retarded Persons Act, 1966* is repealed.

1966, c. 65,  
s. 12, cl. f,  
repealed

**5.** Clause f of section 12 of *The Homes for Retarded Persons Act, 1966* is repealed.

Commence-  
ment

**6.** This Act comes into force on the day it receives Royal Assent.

Short title

**7.** This Act may be cited as *The Homes for Retarded Persons Amendment Act, 1968*.



## CHAPTER 52

**An Act to amend  
The Homes for the Aged and Rest Homes Act**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.—**(1) Section 1 of *The Homes for the Aged and Rest Homes Act*, as amended by section 2 of *The Homes for the Aged Amendment Act, 1966*, is further amended by relettering clause *a* as clause *aa* and by adding thereto the following clause:

(a) “band”, “council of the band” and “reserve” have the same meaning as in the *Indian Act* (Canada). R.S.C. 1952, c. 148

(2) Clause *b* of the said section 1, as re-enacted by section 2 of *The Homes for the Aged Amendment Act, 1966*, is amended by adding at the end thereof “or councils of bands, as the case may be”, so that the clause shall read as follows:

(b) “joint home” means a home of two or more municipalities or councils of bands, as the case may be.

**2.** Section 3 of *The Homes for the Aged and Rest Homes Act* is amended by inserting after “may” in the sixth line “with approval in writing of the Minister”, so that the section shall read as follows:

3. A municipality that has a population of more than 15,000 and that is located in a territorial district may, with the written approval of the Minister, establish and maintain a home, or the council of any such municipality and the councils of one or more other municipalities in the same territorial district may, with approval in writing of the Minister, enter into an agreement to establish and maintain a joint home.

R.S.O. 1960,  
c. 174,  
amended

3. *The Homes for the Aged and Rest Homes Act* is amended by adding thereto the following section:

Homes and  
joint homes,  
establish-  
ment by  
Indian  
bands

3a. A council of the band may,

(a) establish and maintain a home; or

(b) enter into an agreement with the councils of one or more other bands to establish and maintain a joint home,

with the approval in writing of the Minister.

R.S.O. 1960,  
c. 174, s. 7,  
subs. 1,  
amended

4.—(1) Subsection 1 of section 7 of *The Homes for the Aged and Rest Homes Act* is amended by striking out "4" in the third line and inserting in lieu thereof "3a or 4", so that the subsection shall read as follows:

Board of  
manage-  
ment,  
appoint-  
ment

(1) The Lieutenant Governor in Council may appoint a board of management, which shall be a corporation, for a home established and maintained under section 3a or 4.

R.S.O. 1960,  
c. 174, s. 7,  
subs. 2,  
amended

(2) Subsection 2 of the said section 7 is amended by striking out "five" in the first line and inserting in lieu thereof "not more than seven", and by adding at the end thereof "or on the reserve or reserves as the case may be", so that the subsection shall read as follows:

composi-  
tion

(2) A board of management shall consist of not more than seven persons residing in the territorial district or on the reserve or reserves as the case may be.

R.S.O. 1960,  
c. 174, s. 7,  
amended

(3) The said section 7 is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 71 does  
not apply

(5) *The Corporations Act* does not apply to the board.

R.S.O. 1960,  
c. 174, s. 7a  
(1961-62,  
c. 53, s. 3),  
amended

5. Section 7a of *The Homes for the Aged and Rest Homes Act*, as enacted by section 3 of *The Homes for the Aged Amendment Act, 1961-62*, is amended by striking out "4" in the third line and inserting in lieu thereof "3a or 4", so that the section shall read as follows:

Trust  
agreements

7a. Where a municipality that establishes and maintains a home or joint home, or the board of management of a home established and maintained under section 3a or 4, enters into an agreement with a resident of the home to receive, hold and administer real or personal property of the resident in trust for certain

purposes

purposes, the municipality or board may receive, hold and administer the property for the purposes of the agreement.

6.—(1) Subsection 1 of section 8 of *The Homes for the Aged and Rest Homes Act*, as re-enacted by subsection 1 of section 1 of *The Homes for the Aged Amendment Act, 1960-61*, is amended by striking out “a superintendent” in the sixth line and in the eighth line and inserting in lieu thereof in each instance “an administrator”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 174, s. 8,  
subs. 1  
(1960-61,  
c. 35, s. 1  
subs. 1),  
amended

- (1) Subject to subsection 1a, the council of a municipality that establishes and maintains a home or the councils of the municipalities that establish and maintain a joint home or the board of management of a home shall, with the approval of the Lieutenant Governor in Council, appoint an administrator for the home or joint home who has, in the opinion of the Minister, served satisfactorily as an administrator for a period of at least six months and has successfully completed a course of instruction that is approved by the Minister.

Administra-  
tor,  
appoint-  
ment

(2) Subsection 1a of the said section 8, as enacted by subsection 1 of section 1 of *The Homes for the Aged Amendment Act, 1960-61*, is amended by striking out “superintendent” in the fifth line and inserting in lieu thereof “administrator”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 174, s. 8,  
subs. 1a  
(1960-61,  
c. 35, s. 1,  
subs. 1),  
amended

- (1a) The council of a municipality that establishes and maintains a home or the councils of the municipalities that establish and maintain a joint home or the board of management of a home may appoint a person to act temporarily as administrator of the home or joint home for a period not exceeding one year.

temporary  
appoint-  
ment

(3) Subsection 2 of the said section 8 is amended by striking out “superintendent” in the fourth line and inserting in lieu thereof “administrator”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 174, s. 8,  
subs. 2,  
amended

- (2) The council of a municipality that establishes and maintains a home or the councils of the municipalities that establish and maintain a joint home or the board of management of a home may appoint such staff as the administrator requires for the carrying out of his duties.

Staff,  
appoint-  
ment

R.S.O. 1960,  
c. 174, s. 12,  
subs. 2,  
repealed

7. Subsection 2 of section 12 of *The Homes for the Aged and Rest Homes Act* is repealed.

R.S.O. 1960,  
c. 174, s. 13  
(1960-61,  
c. 35, s. 2),  
subs. 1,  
cl. e,  
amended

8.—(1) Clause *e* of subsection 1 of section 13 of *The Homes for the Aged and Rest Homes Act*, as re-enacted by section 2 of *The Homes for the Aged Amendment Act, 1960-61*, is amended by striking out “or township” in the third line and inserting in lieu thereof “township or band” and by striking out “Public Welfare” in the eleventh line and in the twelfth line and inserting in lieu thereof in each instance “Social and Family Services”, so that the clause shall read as follows:

- (e) an authorization in the prescribed form signed by the head of the council of a city, town, village, township or band or, in a county in which the county council has designated the warden to sign such authorization, by the warden or, in a city having a population of not less than 100,000, by such member of the council as the mayor has designated or, where the person resides in unorganized territory, by a regional welfare administrator of the Department of Social and Family Services or any other employee of the Department of Social and Family Services designated by the Minister for the purpose.

R.S.O. 1960,  
c. 174, s. 13  
(1960-61,  
c. 35, s. 2),  
subs. 1,  
cl. h,  
amended

(2) Clause *h* of subsection 1 of the said section 13 is amended by inserting after “municipality” in the third line “or band” and by striking out “Public Welfare” in the fourth and fifth lines and in the sixth line and inserting in lieu thereof in each instance “Social and Family Services”, so that the clause shall read as follows:

- (h) a statement of particulars in the prescribed form signed by the welfare officer of the municipality or band or by a regional welfare administrator of the Department of Social and Family Services or any other employee of the Department of Social and Family Services designated by the Minister for the purpose; and

. . . . .

R.S.O. 1960,  
c. 174, s. 14,  
subs. 1,  
amended

9. Subsection 1 of section 14 of *The Homes for the Aged and Rest Homes Act* is amended by inserting after “municipality” in the fifth line “or reserve” and by inserting after “of” in the sixth line “subsection 1 of”, so that the subsection shall read as follows:

Committal  
by  
magistrate

- (1) A magistrate may, by writing under his hand, commit any person who is over sixty years of age and who is unable to care properly for himself to a home or joint home, and where a person is so

committed



committed, the magistrate shall determine the municipality or reserve in which the person is resident and ensure that the statement mentioned in clause *i* of subsection 1 of section 13 has been completed.

**10.** Subsection 1 of section 15 of *The Homes for the Aged and Rest Homes Act* is amended by striking out "superintendent" in the first line and inserting in lieu thereof "administrator", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 174, s. 15,  
subs. 1,  
amended

- (1) Upon the recommendation of the administrator, any resident of a home or joint home or any person admissible to a home or joint home may, in lieu of being maintained in the home or joint home, be placed in special-home care.

Special-home  
care

**11.** Section 16 of *The Homes for the Aged and Rest Homes Act* is repealed.

R.S.O. 1960,  
c. 174, s. 16,  
repealed

**12.** Section 17 of *The Homes for the Aged and Rest Homes Act*, as amended by section 4 of *The Homes for the Aged Amendment Act, 1960-61*, is further amended by striking out "or" in the second line and by inserting after "township" in the third line "or band" and by inserting after "council" in the fourth line "or the council of the band, as the case may be" and by striking out "Public Welfare" in the fifth line and in the sixth line and inserting in lieu thereof in each instance "Social and Family Services", so that the section shall read as follows:

R.S.O. 1960,  
c. 174, s. 17,  
amended

17. A public welfare administrator or public welfare commissioner of a county, city, separated town, town, village, township or band, or any of his assistants authorized by the municipal council or the council of the band, as the case may be, and a regional welfare administrator of the Department of Social and Family Services and any other employee of the Department of Social and Family Services designated by the Minister under this Act has power to take affidavits and statutory declarations for the purpose of this Act in the same manner and to the same extent as a commissioner for taking affidavits in Ontario.

Affidavits

**13.** Subsection 3 of section 19 of *The Homes for the Aged and Rest Homes Act* is amended by inserting after "management" in the first line "of a home established under section 4", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 174, s. 19,  
subs. 3,  
amended

- (3) The board of management of a home established under section 4 shall in each year apportion the

Estimates  
and  
apportion-  
ment

amount



amount that it estimates will be required to defray its expenditures for that year among the municipalities in the district, and shall on or before the 25th day of February notify the clerk of each such municipality of the amount to be provided by that municipality.

R.S.O. 1960,  
c. 174, s. 26,  
subs. 1,  
cl. aa,  
amended

**14.**—(1) Clause aa of subsection 1 of section 26 of *The Homes for the Aged and Rest Homes Act*, as relettered by section 7 of *The Homes for the Aged Amendment Act, 1966*, is amended by striking out “superintendents” in the first line and inserting in lieu thereof “administrators”, so that the clause shall read as follows:

(aa) governing the qualifications of administrators and members of staffs of homes and joint homes and prescribing their powers and duties.

R.S.O. 1960,  
c. 174, s. 26,  
subs. 1,  
cl. aa  
(1961-62,  
c. 53, s. 6,  
subs. 3),  
amended

(2) Clause na of subsection 1 of the said section 26, as enacted by subsection 3 of section 6 of *The Homes for the Aged Amendment Act, 1961-62*, is amended by striking out “4” in the second line and inserting in lieu thereof “3a or 4”, so that the clause shall read as follows:

(na) fixing the term of office of the members of boards of management of homes established under section 3a or 4 and requiring the chairmanship of boards of management to change hands at prescribed intervals.

Commence-  
ment

**15.** This Act comes into force on the day it receives Royal Assent.

Short title

**16.** This Act may be cited as *The Homes for the Aged and Rest Homes Amendment Act, 1968*.

## CHAPTER 53

# An Act to amend The Hospital Services Commission Act

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Hospital Services Commission Act*, as amended by section 1 of *The Hospital Services Commission Amendment Act, 1965* and section 1 of *The Hospital Services Commission Amendment Act, 1967*, is further amended by adding thereto the following clauses:

(ab) "future hospital expenses" means the estimated total cost of the insured services made necessary as the result of an injury that will probably be required by a patient after the date of settlement or, where there is no settlement, the first day of trial, and includes the estimated cost of probable future maintenance, care, diagnosis and treatment in a hospital under section 23;

. . . . .

(ba) "past hospital expenses" means the total cost of the insured services made necessary as the result of an injury and provided to a patient up to and including the date of settlement or, where there is no settlement, the first day of trial, and includes the cost of maintenance, care, diagnosis and treatment in a hospital under section 23.

**2.** *The Hospital Services Commission Act* is amended by adding thereto the following section:

14e. No land, building or other premises or place or any part thereof acquired or used for the purposes of a regional school of nursing or a school, institute or training centre approved by the Commission for

the

the education of registered nurses, registered nursing assistants, medical laboratory technicians, radiological technicians or any other personnel for work in hospitals or other health facilities shall be sold, leased, mortgaged or otherwise disposed of without the approval of the Commission.

R.S.O. 1960,  
c. 176, s. 15,  
subs. 1, cl. 1  
(1961-62,  
c. 55, s. 1),  
re-enacted

**3.** Clause 1 of subsection 1 of section 15 of *The Hospital Services Commission Act*, as re-enacted by section 1 of *The Hospital Services Commission Amendment Act, 1961-62*, is repealed and the following substituted therefor:

- (l) subrogating the Commission to any right of recovery of past hospital expenses and future hospital expenses by an insured person or by a hospital indigent described in the regulations in respect of any injury or disability, and providing the terms and conditions under which an action to enforce such rights may be begun, conducted and settled and the terms and conditions under which the proceeds of the settlement or a judgment to which the Commission is entitled shall be paid to the Commission, and prescribing security therefor;
- (la) providing for and prescribing the terms and conditions under which an action mentioned in clause 1 may be tried and judgment therein given;
- (lb) establishing a schedule of the daily costs of maintenance, care, diagnosis and treatment provided in the various classes of hospitals under section 23 on which to calculate the costs of such maintenance, care, diagnosis and treatment that may be recovered by the Commission under its subrogated rights.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

Short title

**5.** This Act may be cited as *The Hospital Services Commission Amendment Act, 1968*.

## CHAPTER 54

**An Act to amend  
The Hunter Damage Compensation Act, 1962-63**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *a* of section 1 of *The Hunter Damage Compensation Act, 1962-63* is amended by inserting after “cattle” in the first line “goats”, so that the clause shall read as follows: 1962-63,  
c. 60, s. 1,  
cl. a,  
amended

(a) “live stock” means cattle, goats, horses, sheep, swine or poultry.

(2) Clause *b* of the said section 1 is amended by adding at the end thereof “and Food”. 1962-63,  
c. 60, s. 1,  
cl. b,  
amended

**2.**—(1) Subsection 2 of section 3 of *The Hunter Damage Compensation Act, 1962-63* is amended by adding at the commencement thereof “Subject to subsections 2*a* and 2*b*”, so that the subsection shall read as follows: 1962-63,  
c. 60, s. 3,  
subs. 2,  
amended

(2) Subject to subsections 2*a* and 2*b*, the Minister may, in respect of an application made under subsection 1, pay to the applicant such amount as the Minister deems reasonable, but not exceeding the market value of the live stock or other property in respect of which payment is made. Payment  
of com-  
pensation

(2) The said section 3 is amended by adding thereto the following subsections: 1962-63,  
c. 60, s. 3,  
amended

(2*a*) No payment shall be made under subsection 2 of an amount in respect of, Amount of  
payment  
limited

(a) a head of cattle in excess of \$500;

(b) a goat in excess of \$100;

(c) a horse in excess of \$500;

(d)

(d) a head of sheep in excess of \$100; or

(e) a head of swine in excess of \$100.

Reduction  
in payment  
by reason of  
insurance

(2b) Where an applicant is entitled to receive an amount under a contract of insurance against loss by reason of the death of or injury to live stock or damage to property in respect of which he has made application under subsection 1, the Minister shall apply an amount equal to that amount in reduction of any payment under subsection 2.

Commence-  
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Hunter Damage Compensation Amendment Act, 1968*.



## CHAPTER 55

**An Act to amend The Income Tax Act, 1961-62**

*Assented to June 13th, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 3 of section 3 of *The Income Tax Act, 1961-62*,<sup>1961-62, c. 60, s. 3, subs. 3, amended</sup> as amended by section 1 of *The Income Tax Amendment Act, 1965*, section 2 of *The Income Tax Amendment Act, 1966* and section 2 of *The Income Tax Amendment Act, 1967*, is further amended by striking out "and" at the end of clause *e* in the amendment of 1966 and by adding "and" at the end of clause *f* in the amendment of 1967, and by adding thereto the following clause:

(g) 28 per cent in respect of the 1969 taxation year.

**2.** This Act comes into force on the day it receives Royal Assent.<sup>Commence-  
ment</sup>

**3.** This Act may be cited as *The Income Tax Amendment Act, 1968*.<sup>Short title</sup>



## CHAPTER 56

**An Act to amend  
The Industrial Safety Act, 1964**

*Assented to, except section 5, May 30th, 1968*

*Section 5 assented to June 13th, 1968*

*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *b* of section 1 of *The Industrial Safety Act*, 1964, c. 45, s. 1, cl. *b*, 1964 is amended by inserting after “Crown” in the second line amended “in right of Ontario”, so that the clause shall read as follows:

(*b*) “Crown” includes a board, commission or agency of the Crown in right of Ontario and The Hydro-Electric Power Commission of Ontario.

(2) Clause *e* of the said section 1 is repealed and the following substituted therefor: 1964, c. 45, s. 1, cl. *e*, re-enacted

(*e*) “factory” means a premises or place, including any land appertaining thereto, other than a premises or place where homework is done,

- (i) where any manufacturing process or assembling in connection with the manufacturing of any goods or products is carried on,
- (ii) where any form of thermal, hydraulic, electrical, aero-dynamic, kinetic, chemical, nuclear, solar or other form of energy is used to work any machinery or device, or where any form of such energy is modified in any manner in preparing, inspecting, manufacturing, finishing, repairing, warehousing, cleaning or adapting for hire or sale any substance, article or thing, or
- (iii) wherein the employer of the persons working there has the right of access and control, and wherein any manual labour is exercised by way of trade or for purposes of gain in or

incidental

incidental to the making of any goods, substance, article or thing or any part thereof, or the altering, demolishing, repairing, maintaining, ornamenting, finishing, storing, cleaning, washing or adapting for sale of any goods, substance, article or thing, and includes a plant used for the maintenance of aircraft, locomotives or vehicles used for transport purposes,

and any other building, premises, shop, workshop, structure, room or place, including any land appertaining thereto, designated by the Lieutenant Governor in Council as a factory under section 3.

1964, c. 45,  
s. 1,  
cls. *j*, *k*, *p*,  
re-enacted

(3) Clauses *j*, *k* and *p* of the said section 1 are repealed and the following substituted therefor:

(*j*) "office" includes a building, including any land appertaining thereto, or that part of a building occupied and under the control of a separate employer and used for office purposes, and any other building, including any land appertaining thereto, or part thereof designated by the Lieutenant Governor in Council as an office under section 3;

(*k*) "office building" means a building, including any land appertaining thereto, used or occupied for office purposes and not as a shop or factory, and includes a part of such a building when so used or occupied, and any other building, including any land appertaining thereto, or part thereof designated by the Lieutenant Governor in Council as an office building under section 3;

. . . . .

(*p*) "shop" means a building or a part of a building, booth, stall or place where goods are handled or exposed or offered for sale, or any building or part of a building, booth, stall or place where services are offered for sale or where goods are manufactured and that is not a factory or a premises or place where homework is done, and includes a restaurant, bowling alley, pool room and billiard parlour and any other building, booth, stall or place designated by the Lieutenant Governor in Council as a shop under section 3, and in all cases includes any land appertaining thereto.

**2.** Section 4 of *The Industrial Safety Act, 1964* is repealed<sup>1964, c. 45, s. 4, re-enacted</sup> and the following substituted therefor:

4. Every place where a laundry is operated in conjunction with,<sup>Places deemed factories</sup>

(a) a public hospital under *The Public Hospitals Act*, an institution designated by the regulations under *The Mental Hospitals Act*, a sanatorium established under *The Sanatoria for Consumptives Act*, a sanitarium licensed under *The Private Sanitaria Act* or a psychiatric hospital established under *The Psychiatric Hospitals Act*;<sup>R.S.O. 1960, cc. 322, 236, 359, 307, 315</sup>

(b) a private hospital licensed under *The Private Hospitals Act*;<sup>R.S.O. 1960, c. 305</sup>

(c) an hotel within the meaning of *The Hotel Registration of Guests Act* or a motel; or<sup>R.S.O. 1960, c. 180</sup>

(d) an institution for religious, charitable or educational purposes,

shall, except for the purposes of section 16, be deemed to be a factory to which this Act applies.

**3.** Section 5 of *The Industrial Safety Act, 1964* is amended<sup>1964, c. 45, s. 5, amended</sup> by striking out "and" at the end of clause *d*, by adding "and" at the end of clause *e* and by adding thereto the following clause:

(f) the performing of custom laundry work for a regular family trade by a person in his dwelling.

**4.—**(1) Subsection 1 of section 16 of *The Industrial Safety Act, 1964* is amended by striking out "Subject to subsections 4 and 5" in the first line, so that the first three lines of the subsection shall read as follows:<sup>1964, c. 45, s. 16, subs. 1, amended</sup>

(1) No person shall commence to construct or reconstruct a building or add to or alter an existing building,<sup>Approval of drawings and specifications</sup>

. . . . .

(2) Subsection 3 of the said section 16 is amended by striking out "Upon payment of the fee therefor" in the first line, so that the subsection shall read as follows:<sup>1964, c. 45, s. 16, subs. 3, amended</sup>

(3) An engineer of the Department shall examine the drawings and specifications and, if they comply with this Act and the regulations, he shall certify<sup>Approval of specification</sup>

his



his approval thereon and return one copy to the applicant, and the construction, reconstruction, addition, installation or alteration may be proceeded with only in accordance with the drawings and specifications as approved.

1964, c. 45,  
s. 16,  
subs. 4,  
re-enacted;  
subs. 5,  
repealed

(3) Subsections 4 and 5 of the said section 16 are repealed and the following substituted therefor:

Copy of  
drawings,  
etc.,  
on site

(4) The owner of the building or of the land on which the building is being constructed or a person designated by him shall keep one copy of the approved drawings and specifications at the site of the construction, reconstruction, addition, installation or alteration until the completion thereof, and such drawings and specifications shall be produced upon demand to an inspector or to a building inspector or construction safety inspector appointed by a municipality or by the Lieutenant Governor in Council.

1964, c. 45,  
Part II  
(ss. 27-30),  
repealed

5. Part II of *The Industrial Safety Act, 1964* is repealed.

1964, c. 45,  
s. 37,  
amended

6. Section 37 of *The Industrial Safety Act, 1964* is amended by striking out "\$1,000" in the fifth line and inserting in lieu thereof "\$5,000", so that the section shall read as follows:

General  
offence  
and  
penalty

37. Every person who contravenes or fails to comply with any of the provisions of this Act or the regulations, a direction of an inspector or a condition of an approval or permit is guilty of an offence and on summary conviction is liable to a fine of not more than \$5,000 or to imprisonment for a term of not more than twelve months, or to both.

Commence-  
ment

7.—(1) This Act, except section 5, comes into force on the day it receives Royal Assent.

Idem

(2) Section 5 comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

8. This Act may be cited as *The Industrial Safety Amendment Act, 1968*.

CHAPTER 57

An Act to repeal The Injured Animals Act

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Injured Animals Act* is repealed.

R.S.O. 1960,  
c. 188,  
repealed
2. This Act comes into force on the day it receives Royal Assent.

Commence-  
ment
3. This Act may be cited as *The Injured Animals Repeal Act, 1968*.

Short title



## CHAPTER 58

## An Act to amend The Insurance Act

*Assented to June 13th, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Paragraph 3 of subsection 1 of section 8 of *The Insurance Act* is repealed. R.S.O. 1960,  
c. 190, s. 8,  
subs. 1,  
para. 3,  
repealed

**2.** Subsection 1 of section 35 of *The Insurance Act* is amended by striking out "the licence of the insurer is *ipso facto* void and shall be deemed to be cancelled" in the sixth and seventh lines and inserting in lieu thereof "the Minister may suspend or cancel the licence", so that the subsection shall read as follows: R.S.O. 1960,  
c. 190, s. 35,  
subs. 1,  
amended

- (1) Where written notice has been served on the Superintendent and upon proof of an undisputed claim arising from loss insured against in Ontario remaining unpaid for the space of sixty days after being due or of a disputed claim after final judgment in the regular course of law and tender of a legal, valid discharge being unpaid, the Minister may suspend or cancel the licence. Failure  
to pay  
undisputed  
claim

**3.** Subsection 2 of section 41 of *The Insurance Act* is amended by adding at the end thereof "and for this purpose the Minister may require a reinsurer that reinsures all or part of the insurer's business to deposit balances owing to the insurer with the Minister", so that the subsection shall read as follows: R.S.O. 1960,  
c. 190, s. 41,  
subs. 2,  
amended

- (2) The Superintendent may require the deposit referred to in subsection 1 to be increased, either before or after granting the licence, to such amount as he considers necessary and for this purpose the Minister may require a reinsurer that reinsures all or part of the insurer's business to deposit balances owing to the insurer with the Minister. Increase  
in amount  
of deposit

R.S.O. 1960,  
c. 190, s. 76,  
subs. 1,  
amended

4. Subsection 1 of section 76 of *The Insurance Act* is amended by striking out "section" in the first line and inserting in lieu thereof "sections 292 and", so that the subsection shall read as follows:

Annual  
statement

- (1) Subject to sections 292 and 296, every licensed insurer shall prepare annually and deliver to the Superintendent, on or before the last day of February of each year, a statement of the condition of affairs of the insurer as at the 31st day of December next preceding, which statement shall be in such form as is prescribed by the Superintendent and shall exhibit the assets, liabilities, receipts and expenditures of the insurer for the calendar year ended on such date, and shall also exhibit particulars of the business done in Ontario during such year and such other information as is deemed necessary from time to time by the Minister or Superintendent, and such statement shall be verified in the manner prescribed by the Superintendent.

R.S.O. 1960,  
c. 190,  
s. 199  
(1966, c. 71,  
s. 11),  
subs. 1,  
amended

5. Subsection 1 of section 199 of *The Insurance Act*, as re-enacted by section 11 of *The Insurance Amendment Act, 1966*, is amended by striking out "1st day of January, 1968" in the third line and inserting in lieu thereof "day on which section 11 of *The Insurance Amendment Act, 1966* is proclaimed in force", so that the subsection shall read as follows:

Applica-  
tion of  
Part

1966, c. 71

- (1) This Part applies to contracts providing automobile insurance made or renewed in Ontario on or after the day on which section 11 of *The Insurance Amendment Act, 1966* is proclaimed in force.

R.S.O. 1960,  
c. 190,  
Sched. A,  
amended

6.—(1) Schedule A to *The Insurance Act* is amended by adding thereto the following item:

11a. Order in Council authorizing reciprocal deposits (Section 69)..... 25

R.S.O. 1960,  
c. 190,  
Sched. A,  
item 13,  
re-enacted

(2) Item 13 of the said Schedule A is repealed and the following substituted therefor:

13. Licences for any class of insurance, other than life insurance and renewals thereof,

- (a) where the applicant is not a transportation company, and the licence is expressly limited to accident insurance, or accident and sickness insurance, or travel-accident and baggage insurance, or customs bonds..... 10
- (b) where the applicant is not a resident of Ontario and resides in a province or state that,
- (i) grants licences to residents of Ontario..... 25
- (ii) does not grant licences to residents of Ontario..... 50
- (c) all other applicants..... 25



**7.**—(1) This Act, except section 6, comes into force on the day it receives Royal Assent. <sup>Commence-  
ment</sup>

(2) Section 6 comes into force on the 1st day of October, <sup>Idem</sup> 1968.

**8.** This Act may be cited as *The Insurance Amendment Act, 1968*. <sup>Short title</sup>



## CHAPTER 59

## An Act to amend The Judicature Act

*Assented to, except sections 1, 2, 3 and 6, April 11th, 1968*

*Sections 1, 2 and 6 assented to April 30th, 1968*

*Section 3 assented to May 30th, 1968*

*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 25 of *The Judicature Act* is amended by adding R.S.O. 1960, c. 197, s. 25, amended at the commencement thereof "Subject to subsection 1a of section 40", so that the section shall read as follows:

25. Subject to subsection 1a of section 40, there is no Appeals from interlocutory orders appeal to the Court of Appeal from any interlocutory order whether made in court or chambers, save by leave as provided in the rules.

**2.** Section 40 of *The Judicature Act* is amended by adding R.S.O. 1960, c. 197, s. 40, amended thereto the following subsection:

(1a) An appeal to the Court of Appeal from an interlocutory order under the *Divorce Act* (Canada) may be Exception 1968, c. 24 (Can.) heard without leave before one justice of appeal sitting alone.

**3.** Section 60 of *The Judicature Act* is repealed. R.S.O. 1960, c. 197, s. 60, repealed

**4.** Subsection 2 of section 100 of *The Judicature Act* is R.S.O. 1960, c. 197, s. 100, subs. 2, re-enacted repealed and the following substituted therefor:

(2) The Lieutenant Governor in Council may appoint Additional special examiners additional special examiners.

**5.** Subsection 4 of section 104 of *The Judicature Act* is R.S.O. 1960, c. 197, s. 104, subs. 4, re-enacted repealed and the following substituted therefor:

(4) Where books, documents, papers or other material Destruction of documents have been preserved in the Supreme Court or in a county or district court for so long that it appears they need not be preserved any longer, an order authorizing the Inspector to cause their destruction or other disposition may be made,

(a)

(a) in the Supreme Court by the Chief Justice of Ontario; and

(b) in the other courts, by the Chief Judge of the County and District Courts.

R.S.O. 1960,  
c. 197,  
s. 111,  
subs. 9,  
cl. f,  
subcl. v,  
re-enacted

**6.** Subclause v of clause f of subsection 9 of section 111 of *The Judicature Act* is repealed and the following substituted therefor:

(v) matters affecting the custody of children, other than interlocutory applications for their interim custody or maintenance.

Commence-  
ment

**7.—(1)** This Act, except sections 1, 2, 3 and 6, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1, 2 and 6 shall be deemed to have come into force on the 1st day of April, 1968.

Idem

(3) Section 3 shall be deemed to have come into force on the 1st day of January, 1968.

Short title

**8.** This Act may be cited as *The Judicature Amendment Act, 1968*.

## CHAPTER 60

## An Act to amend The Jurors Act

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 49 of *The Jurors Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 199, s. 49, subs. 3, re-enacted

(3) For each selection of jurors to be released from service before the sittings under this section, the sheriff shall pay the justice of the peace in attendance the sum of \$5. Remuneration of justice of the peace

2. Subsection 2 of section 59 of *The Jurors Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 199, s. 59, subs. 2, re-enacted

(2) For each panel drafted, the sheriff shall pay the justice of the peace in attendance the sum of \$5. Remuneration of justice of the peace

3. Subsection 1 of section 84 of *The Jurors Act* is amended by striking out "certify and return the pay list to the treasurer of the county, and the treasurer shall forthwith" in the eighth and ninth lines, so that the subsection shall read as follows: R.S.O. 1960, c. 199, s. 84, subs. 1, amended

(1) The sheriff shall make a pay list (Schedule C) for the petit jurors and shall attend or cause some officer to attend at the opening of the court on every day on which the court sits for the trial of actions by jury, and upon the petit jurors being called, shall check and mark the word "present" or "absent", as the case may be, in the proper column of the list opposite the name of every juror, and on the last day of the sittings of the court shall pay to every petit juror the sum to which he appears by the list to be entitled. Sheriff to make a pay list for petit jurors

4. Section 85 of *The Jurors Act* is repealed.

R.S.O. 1960, c. 199, s. 85, repealed

5.



R.S.O. 1960,  
c. 199, s. 88,  
subs. 2,  
repealed

5. Subsection 2 of section 88 of *The Jurors Act* is repealed.

R.S.O. 1960,  
c. 199, s. 89,  
re-enacted;  
ss. 90-96,  
repealed

6. Sections 89, 90, 91, 92, 93, 94, 95 and 96 of *The Jurors Act* are repealed and the following substituted therefor:

Remunera-  
tion of  
selectors

89. The local and county selectors are entitled to such remuneration and allowances for the performance of their duties as is determined by the Lieutenant Governor in Council.

R.S.O. 1960,  
c. 199, s. 101,  
amended

7. Section 101 of *The Jurors Act* is amended by striking out "treasurer of the county and shall form part of the fund for the payment of petit jurors" in the forty-sixth and forty-seventh lines and inserting in lieu thereof "Treasurer of Ontario".

R.S.O. 1960,  
c. 199,  
Sched. C,  
amended

8. Schedule C of *The Jurors Act* is amended by striking out "I, \_\_\_\_\_, Sheriff of the \_\_\_\_\_ of \_\_\_\_\_, do hereby certify to the Treasurer of the \_\_\_\_\_, that the above is to the best of my knowledge a correct return of the number of miles travelled by each Juror in coming to the Court, a true check of the number of days every such Juror attended the Court, and the just sum to which every Juror on the above list is entitled. A.B., Sheriff." in the last paragraph.

Commence-  
ment

9. This Act shall be deemed to have come into force on the 1st day of January, 1968.

Short title

10. This Act may be cited as *The Jurors Amendment Act, 1968*.

## CHAPTER 61

**An Act to amend The Justices of the Peace Act**

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 6 of *The Justices of the Peace Act* is repealed. R.S.O. 1960,  
c. 200, s. 6,  
repealed
2. Sections 9, 10 and 11 of *The Justices of the Peace Act* are repealed and the following substituted therefor: R.S.O. 1960,  
c. 200,  
ss. 9, 10,  
re-enacted;  
s. 11,  
repealed
  9. In cases not provided for in any other Act, the Lieutenant Governor in Council may fix the fees and allowances to be paid to justices of the peace out of the moneys appropriated by the Legislature for the administration of justice. Fees
  - 10.—(1) The Lieutenant Governor in Council may Salary authorize the payment of a salary to a justice of the peace appointed for a city or metropolitan municipality and fix the amount thereof.
  - (2) Where a justice of the peace is paid a salary under subsection 1, the Lieutenant Governor in Council may require him to pay to the Treasurer of Ontario all or any portion of the fees collected by him as justice of the peace. Remission  
of fees
  3. This Act shall be deemed to have come into force on Commence-  
ment the 1st day of January, 1968.
  4. This Act may be cited as *The Justices of the Peace* Short title *Amendment Act, 1968*.



## CHAPTER 62

## An Act to amend The Land Titles Act

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 3 of *The Land Titles Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 204, s. 3, re-enacted

3. The Lieutenant Governor may by his proclamation extend the operation of this Act to any part of the province forming a registry division under *The Registry Act*, or to such part thereof as is specified in the proclamation. Extension of application of Act  
R.S.O. 1960, c. 348

2. Section 5b of *The Land Titles Act*, as enacted by section 3 of *The Land Titles Amendment Act, 1966*, is repealed and the following substituted therefor: R.S.O. 1960, c. 204, s. 5b (1966, c. 77, s. 3), re-enacted

5b. Such employees as are considered necessary for the administration of this Act may be appointed under *The Public Service Act, 1961-62*. Employees  
1961-62, c. 121

5c. The director of titles and every master of titles shall pay monthly to the Treasurer of Ontario all fees received by him under this Act, after payment of such disbursements as have been authorized by the Inspector, and shall remit every such payment to the Inspector together with a monthly return in such form as is approved by the Inspector. Remission of fees

3. Section 14 of *The Land Titles Act*, as re-enacted by section 9 of *The Land Titles Amendment Act, 1966*, is repealed. R.S.O. 1960, c. 204, s. 14 (1966, c. 77, s. 9), repealed

4. This Act shall be deemed to have come into force on the 1st day of January, 1968. Commencement

5. This Act may be cited as *The Land Titles Amendment Act, 1968*. Short title





## CHAPTER 63

## An Act to amend The Legislative Assembly Act

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 4 of section 60 of *The Legislative Assembly Act*, as re-enacted by section 1 of *The Legislative Assembly Amendment Act, 1964* and amended by subsection 2 of section 1 of *The Legislative Assembly Amendment Act, 1965*, is repealed and the following substituted therefor:

(4) Notwithstanding subsection 3, upon the request of a member, there shall be paid, out of the moneys that have accrued to him at the time the request is made, any part of his indemnity not exceeding \$650 per month and any part of his allowance for expenses not exceeding one-twelfth of his annual allowance for expenses per month.

2. Section 64 of *The Legislative Assembly Act*, as re-enacted by section 2 of *The Legislative Assembly Amendment Act, 1965*, is amended by adding thereto the following subsection:

(2) Upon the request of a member, the accrued annual allowance provided for in subsection 1 may be paid in monthly instalments not exceeding one-twelfth of the annual allowance, as certified by the Speaker.

3. Section 65 of *The Legislative Assembly Act* is repealed and the following substituted therefor:

65. There shall be paid to each member of a committee of the Assembly other than the chairman thereof an allowance for expenses of \$50, and to the chairman thereof an allowance for expenses of \$60, and,

(a) in addition to the allowance provided for in section 64, his actual disbursements for transportation other than by private automobile

or an allowance of 10 cents for every mile travelled by private automobile; and

- (b) his actual disbursements for meals, accommodation and gratuities,

for or incurred on every day on which the Assembly is not sitting,

- (c) upon which he attends a meeting of the committee; or

- (d) upon which he is absent from home and is engaged on the work of the committee; or

- (e) upon which he is absent from home and is travelling to and from meetings of the committee.

Commence-  
ment

4. This Act shall be deemed to have come into force on the 1st day of April, 1968.

Short title

5. This Act may be cited as *The Legislative Assembly Amendment Act, 1968*.

## CHAPTER 64

**An Act to amend  
The Legislative Assembly  
Retirement Allowances Act**

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 6 of *The Legislative Assembly Retirement Allowances Act* is amended by striking out "ten" in the first line and inserting in lieu thereof "five", so that the subsection shall read as follows: R.S.O. 1960  
c. 209, s. 6,  
subs. 1,  
amended

- (1) A member who has contributed in respect of five or more years of service and who has attained the age of fifty-five years is entitled to an annual allowance during his lifetime upon his ceasing to be a member. Eligibility  
for  
allowance  
members

**2.** Subsection 1 of section 10 of *The Legislative Assembly Retirement Allowances Act* is amended by striking out "ten" in the second line and inserting in lieu thereof "five", so that the subsection shall read as follows: R.S.O. 1960,  
c. 209, s. 10,  
subs. 1,  
amended

- (1) A minister who has contributed under section 8 or 9 and who has contributed in respect of five or more years of service as a member and who has attained the age of fifty-five years is entitled to an annual allowance during his lifetime upon his ceasing to be a minister and a member. Eligibility  
for  
allowance,  
ministers

**3.** Section 12 of *The Legislative Assembly Retirement Allowances Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 209, s. 12,  
re-enacted

- 12.—(1) The widow of a person who at the time of his death was in receipt of an allowance, or who was entitled to an allowance or whose allowance has been suspended under section 7 or 11, shall be paid during Widow's  
allowance

her

her lifetime an allowance equal to one-half of the allowance that the person was receiving at the date of his death or to which he was entitled or which was suspended and recalculated under section 7 or 11, as the case may be.

Idem

(2) The widow of a person,

- (a) who had elected under section 6 or 10 to take a deferred allowance at age fifty-five; or
- (b) who was eligible to make an election under section 6 or 10 but died before making such election; or
- (c) who died before attaining the age of fifty-five years while still contributing and who was otherwise eligible for an allowance,

at any time may elect to take a deferred allowance, in which case, commencing on the day that the person would have attained the age of fifty-five had he lived, she shall be paid during her lifetime an allowance equal to one-half the allowance to which the person would have been entitled at that time, or may elect to take an immediate allowance, in which case she shall be paid during her lifetime an allowance equal to one-half the allowance, reduced actuarially in accordance with the prescribed tables, which the person would have been entitled to receive at the time of her election.

Exception

(3) Subsections 1 and 2 do not apply to the widow of a person,

- (a) if she married him after he attained the age of sixty-five years or after he was in receipt of an allowance; or
- (b) after she remarries.

Applica-  
tion of  
ss. 1, 2

4. Sections 1 and 2 apply to persons who are members on or after the day on which this Act comes into force.

Commence-  
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Legislative Assembly Retirement Allowances Amendment Act, 1968*.

## CHAPTER 65

## An Act to amend The Line Fences Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 1 of *The Line Fences Act*, as amended by section 1 of *The Line Fences Amendment Act, 1962-63*, is repealed and the following substituted therefor: R.S.O. 1960, c. 216, s. 1, subs. 3, re-enacted

(3) This Act applies *mutatis mutandis* to unoccupied land as well as to occupied land in any local municipality the council of which has passed a by-law declaring that this Act so applies. By-law making Act apply to unoccupied land

2. *The Line Fences Act* is amended by adding thereto the following section: R.S.O. 1960, c. 216, amended

2a. Where land that was formerly used as part of a line of railway is conveyed in its entire width by the railway company, Duties of owner of former railway right-of-way

(a) to the owner of abutting land, such owner, his heirs, executors and assigns, are responsible for making, keeping up and repairing the fence that marks the lateral boundary between the conveyed lands and the lands of the adjoining owner for a period of ten years from the date of the conveyance and thereafter section 2 applies; or

(b) to a person who is not the owner of abutting land, such person, his heirs, executors and assigns, are responsible for making, keeping up and repairing the fences that mark the lateral boundaries of such land.

3. This Act comes into force on the day it receives Royal Assent. Commencement

4. This Act may be cited as *The Line Fences Amendment Act, 1968*. Short title





## CHAPTER 66

## An Act to amend The Loan and Trust Corporations Act

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 8 of *The Loan and Trust Corporations Act*, as re-enacted by section 2 of *The Loan and Trust Corporations Amendment Act, 1966*, is amended by striking out "\$500,000" in the third line and in the tenth line and inserting in lieu thereof in each instance "\$1,000,000", so that the subsection shall read as follows:

- (1) For the purpose of incorporation, the applicants shall file with the Registrar an affidavit showing that at least \$1,000,000 of stock has been subscribed for and taken up *bona fide* by at least twenty-five responsible subscribers, that each of the applicants holds in his own name and for his own use shares of an aggregate par value of at least \$1,000 and has paid in cash all calls due thereon and all liabilities incurred by him to the corporation, that at least \$1,000,000 of such subscribed stock has been paid in cash by the subscribers into a branch in Ontario of a chartered bank, in trust for the proposed corporation, free from all liability on the part of the proposed corporation or any of the subscribers to make repayment of the same or any part thereof to any person, firm or corporation and that each subscriber has, out of his own money, contributed to the amount so paid in rateably according to the amount of shares subscribed for by him.

2.—(1) Subsection 1 of section 17 of *The Loan and Trust Corporations Act* is amended by inserting after "trust" the first line, in the fifth line and in the sixth line in each instance "or loan", so that the subsection shall read as follows:

When  
letters  
patent  
of trust  
or loan  
company  
may issue

- (1) Letters patent of incorporation of a trust or loan company may issue where it is shown to the satisfaction of the Lieutenant Governor in Council that, in the locality in which the head office of the proposed company is to be situate, there exists a public necessity for a trust or loan company or for an additional trust or loan company.

R.S.O. 1960,  
c. 222, s. 17,  
subs. 2,  
amended

- (2) Subsection 2 of the said section 17 is amended by inserting after "trust" in the third line "or loan", so that the subsection shall read as follows:

Satisfying  
Lieutenant  
Governor  
of fitness of  
applicants

- (2) Such letters patent shall not issue unless the Lieutenant Governor in Council is satisfied that the fitness of the applicants to discharge the duties of a trust or loan company is such as to command the confidence of the public and that the public convenience and advantage will be promoted by granting to the company the powers applied for.

R.S.O. 1960,  
c. 222, s. 74  
(1966, c. 81,  
s. 6),  
subs. 1,  
cl. b,  
amended

- 3.—(1) Clause *b* of subsection 1 of section 74 of *The Loan and Trust Corporations Act*, as re-enacted by section 6 of *The Loan and Trust Corporations Amendment Act, 1966*, is amended by inserting after "of" where it occurs the second time in the third line "or guaranteed by", so that the clause shall read as follows:

- (b) unencumbered debentures, bonds, stocks or other securities of or guaranteed by the Government of Canada or of or guaranteed by any province of Canada or of any municipal corporation in Ontario or city in Canada; and

. . . . .

R.S.O. 1960,  
c. 222, s. 74  
(1966, c. 81,  
s. 6),  
subs. 1,  
amended

- (2) Subsection 1 of the said section 74 is amended by striking out "and" at the end of clause *b*, by adding "and" at the end of clause *c*, and by adding thereto the following clause:

- (d) subject to the approval of the Registrar and to such conditions as the Registrar imposes, a credit from chartered banks in Canada,

. . . . .

R.S.O. 1960,  
c. 222, s. 74  
(1966, c. 81,  
s. 6),  
subs. 2,  
amended

- (3) Subsection 2 of the said section 74 is amended by striking out "required to be maintained under subsection 1" in the first and second lines and inserting in lieu thereof "maintained under clauses *a*, *b* and *c* of subsection 1", so that the subsection shall read as follows:

- (2) Of the amount maintained under clauses *a*, *b* and *c* <sup>Composition of reserves</sup> of subsection 1,

(a) at least 25 per cent shall be maintained in cash on hand or on deposit in a chartered bank and in unencumbered debentures, bonds, stocks or other securities of or guaranteed by the Government of Canada, maturing in three years or less; and

(b) at least 50 per cent shall be maintained in cash on hand or on deposit in a chartered bank and in unencumbered debentures, bonds, stocks or other securities of or guaranteed by the Government of Canada, maturing in ten years or less.

4.—(1) Clause *b* of subsection 1 of section 84 of *The Loan and Trust Corporations Act*, as re-enacted by section 7 of *The Loan and Trust Corporations Amendment Act, 1966*, is amended <sup>R.S.O. 1960, c. 222, s. 84 (1966, c. 81, s. 7), subs. 1, cl. b, amended</sup> by inserting after “of” where it occurs the second time in the third line “or guaranteed by”, so that the clause shall read as follows:

(b) unencumbered debentures, bonds, stocks or other securities of or guaranteed by the Government of Canada or of or guaranteed by any province of Canada or of any municipal corporation in Ontario or city in Canada; and

. . . . .

(2) Subsection 1 of the said section 84 is amended by <sup>R.S.O. 1960, c. 222, s. 84 (1966, c. 81, s. 7), subs. 1, amended</sup> striking out “and” at the end of clause *b*, by adding “and” at the end of clause *c* and by adding thereto the following clause:

(d) subject to the approval of the Registrar and to such conditions as the Registrar imposes, a credit from chartered banks in Canada,

. . . . .

(3) Subsection 2 of the said section 84 is amended by <sup>R.S.O. 1960, c. 222, s. 84 (1966, c. 81, s. 7), subs. 2, amended</sup> striking out “required to be maintained under subsection 1” in the first and second lines and inserting in lieu thereof “maintained under clauses *a*, *b* and *c* of subsection 1”, so that the subsection shall read as follows:

- (2) Of the amount maintained under clauses *a*, *b* and *c* <sup>Composition of reserves</sup> of subsection 1,

(a)

- (a) at least 25 per cent shall be maintained in cash on hand or on deposit in a chartered bank and in unencumbered debentures, bonds, stocks or other securities of or guaranteed by the Government of Canada, maturing in three years or less; and
- (b) at least 50 per cent shall be maintained in cash on hand or on deposit in a chartered bank and in unencumbered debentures, bonds, stocks or other securities of or guaranteed by the Government of Canada, maturing in ten years or less.

R.S.O. 1960,  
c. 222, s. 131  
(1966, c. 81,  
s. 9),  
re-enacted

**5.** Section 131 of *The Loan and Trust Corporations Act*, as re-enacted by section 9 of *The Loan and Trust Corporations Amendment Act, 1966*, is repealed and the following substituted therefor:

Capital  
require-  
ment before  
registration

131. No trust company that was not registered on the 1st day of January, 1968, shall be registered to transact business in Ontario unless it has a capital paid in and unimpaired of at least \$1,000,000.

Commence-  
ment

**6.** This Act comes into force on the day it receives Royal Assent.

Short title

**7.** This Act may be cited as *The Loan and Trust Corporations Amendment Act, 1968*.



## CHAPTER 67

**An Act to amend  
The Local Roads Boards Act, 1964**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 19 of *The Local Roads Boards Act, 1964* is re-<sup>1964,</sup>  
pealed and the following substituted therefor: <sup>c. 56, s. 19,</sup>  
<sup>re-enacted</sup>

19. All land as defined in *The Provincial Land Tax Act, 1961-62* in a local roads area is liable to assessment <sup>Land</sup> and taxation under this Act, subject to the exemp- <sup>assessable</sup>  
<sup>and</sup> <sup>taxable</sup>  
tions from taxation enumerated in paragraphs 1 to <sup>1961-62,</sup>  
14 of subsection 1 of section 3 of *The Provincial Land* <sup>c. 111</sup>  
*Tax Act, 1961-62.*

**2.—(1)** Subsection 1 of section 20 of *The Local Roads* <sup>1964,</sup>  
*Boards Act, 1964* is repealed and the following substituted <sup>c. 56, s. 20</sup>  
therefor: <sup>subs. 1,</sup>  
<sup>re-enacted</sup>

(1) The assessment of land in a local roads area under *The Provincial Land Tax Act, 1961-62* shall be the <sup>Land</sup>  
<sup>assessed</sup>  
assessment of such lands for the purposes of this <sup>under</sup>  
<sup>1961-62,</sup>  
Act. <sup>c. 111</sup>

(2) Subsections 3 and 4 of the said section 20 are repealed <sup>1964,</sup>  
and the following substituted therefor: <sup>c. 56, s. 20,</sup>  
<sup>subss. 3, 4,</sup>  
<sup>re-enacted</sup>

(3) Where any taxable land in a local roads area is not <sup>Where</sup>  
<sup>land</sup>  
assessed under *The Provincial Land Tax Act, 1961-62* but is assessed under *The Public Schools Act*, the <sup>assessed</sup>  
<sup>under</sup>  
assessment under *The Public Schools Act* shall be <sup>R.S.O. 1960,</sup>  
<sup>c. 330</sup>  
the assessment of such land for the purposes of this  
Act.

(4) Where any taxable land in a local roads area is not <sup>Other</sup>  
<sup>cases</sup>  
assessed under *The Provincial Land Tax Act, 1961-62* or under *The Public Schools Act*, such land shall be assessed for taxation purposes under this Act at the following rates:

1. For each dwelling, \$1,000.
2. For each building other than a dwelling, such rate of assessment as may be prescribed.
3. For forested land, \$4 an acre.
4. For cleared land, \$6 an acre.
5. For all other land, \$2 an acre.

1964,  
c. 56, s. 21,  
subs. 1,  
amended

**3.** Subsection 1 of section 21 of *The Local Roads Boards Act, 1964* is amended by inserting after "for" in the second line "taxable", so that the subsection shall read as follows:

Annual  
levy

- (1) Every board shall levy annually on the whole of the assessment for taxable land in the local roads area a sum equal to the sum estimated by the board to be required for the purposes of the board during the year.

Validity of  
previous  
assessments  
and levies  
1964, c. 56

**4.—**(1) No assessment on which a levy has been made before the 1st day of January, 1969, under *The Local Roads Boards Act, 1964* and no levy of taxes made before such date under that Act shall be brought into question or found to be invalid by reason of the fact that all the land in a local roads area was not assessed or taxed or that all the land in a local roads area was not assessed under one method of assessment.

Not to  
apply to  
proceedings  
now before  
courts

(2) Subsection 1 shall not apply to affect a proceeding commenced in any court before the 1st day of May, 1968, and any such proceeding may be disposed of as if subsection 1 had not been passed.

Commence-  
ment

**5.** This Act comes into force on the 1st day of January, 1969.

Short title

**6.** This Act may be cited as *The Local Roads Boards Amendment Act, 1968*.

## CHAPTER 68

**An Act to amend  
The Lord's Day (Ontario) Act, 1960-61**

*Assented to, except sections 1, 2, 3, 4 and 6, May 30th, 1968*

*Sections 1, 2, 3, 4 and 6 assented to July 23rd, 1968*

*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 2 of section 1 of *The Lord's Day (Ontario) Act, 1960-61* is amended by striking out "Subject to subsection 5" in the first line, so that the subsection, exclusive of the clauses, shall read as follows:

(2) The council of any city, town, village or township may pass a by-law,

Implement-  
ing by-law  
authorized

. . . . .

(2) Subsections 5, 6 and 7 of the said section 1 are repealed.

1960-61,  
c. 50, s. 1,  
subss. 5-7,  
repealed

**2.** *The Lord's Day (Ontario) Act, 1960-61* is amended by adding thereto the following section:

1960-61,  
c. 50,  
amended

**1a.**—(1) In this section, "municipality" means a city, town, village or township and includes a metropolitan municipality but does not include a local municipality in a metropolitan municipality.

Muni-  
cipality  
defined

(2) The council of a municipality may pass a by-law providing that this section applies in the municipality.

By-laws  
authorized

(3) In every municipality in which a by-law passed under subsection 2 is in force, it is lawful for any person after 1.30 o'clock in the afternoon on the Lord's Day to provide, engage in or be present at a horse race that, but for this Act, would be unlawful under section 6 of the *Lord's Day Act* (Canada), or to do or engage any other person to do any work, business or labour in connection with any such horse race which, but for this Act, would be unlawful under section 4 or 6 of the *Lord's Day Act* (Canada).

Horse  
racing

R.S.C. 1952,  
c. 171

1960-61,  
c. 50, s. 2,  
subs. 2,  
amended

**3.**—(1) Subsection 2 of section 2 of *The Lord's Day (Ontario) Act, 1960-61* is amended by striking out "Subject to subsection 4" in the first line, so that the subsection, exclusive of the clauses, shall read as follows:

Implement-  
ing by-law  
authorized

(2) The council of any city, town, village or township may pass a by-law,

. . . . .

1960-61,  
c. 50, s. 2,  
subs. 4-7,  
repealed

(2) Subsections 4, 5, 6 and 7 of the said section 2 are repealed.

1960-61,  
c. 50, s. 3,  
repealed

**4.** Section 3 of *The Lord's Day (Ontario) Act, 1960-61* is repealed.

1960-61,  
c. 50,  
amended

**5.** *The Lord's Day (Ontario) Act, 1960-61* is amended by adding thereto the following section:

Municipi-  
pality  
defined

5a.—(1) In this section, "municipality" means a city, town, village or township and includes a metropolitan municipality but does not include a local municipality in a metropolitan municipality.

By-laws  
authorized

(2) The council of a municipality may pass a by-law providing that this section applies in the municipality in respect of such exhibitions or shows referred to in clause *a* of subsection 3 and such activities referred to in clause *b* of subsection 3 as are specified in the by-law.

Agricul-  
tural,  
horticul-  
tural or  
trade  
exhibitions  
or shows

(3) In every municipality in which a by-law passed under subsection 2 is in force, it is lawful for any person after 1.30 o'clock in the afternoon on the Lord's Day to provide, engage in or be present at,

R.S.O. 1960,  
cc. 6, 11, 175

(a) any exhibition or show that is conducted by any society or association to which *The Agricultural Associations Act*, *The Agricultural Societies Act* or *The Horticultural Societies Act* applies or by any corporation incorporated without share capital by or under any special or general Act or at any trade show or scientific exhibition; and

(b) any activity provided or arranged for by such association, society or corporation in connection therewith,

specified

specified in the by-law and that, but for this Act, would be unlawful under section 4, 6 or 7 of the *Lord's Day Act* (Canada), or to do or employ any other person to do any work, business or labour in connection with any such exhibition, show or activity that, but for this Act, would be unlawful under section 4, 6 or 7 of the *Lord's Day Act* (Canada). <sup>R.S.C. 1952, c. 171</sup>

6. Section 7 of *The Lord's Day (Ontario) Act, 1960-61* is <sup>1960-61, c. 50, s. 7, re-enacted</sup> repealed and the following substituted therefor:

7. This Act and any by-law passed thereunder are <sup>Subject to R.S.O. 1960, cc. 396, 342</sup> subject to *The Theatres Act* and *The Racing Commission Act* and to the regulations made thereunder.

7. This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent. <sup>ment</sup>

8. This Act may be cited as *The Lord's Day (Ontario) <sup>Short title</sup> Amendment Act, 1968.*





## CHAPTER 69

## An Act to amend The Medical Act

*Assented to June 13th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 40 of *The Medical Act*, as re-enacted by section 6 of *The Medical Amendment Act, 1966*, is amended by adding “and” at the end of clause *a* and by striking out “and” at the end of clause *b*.

R.S.O. 1960,  
c. 234, s. 40  
(1966,  
c. 85, s. 6),  
subs. 1,  
amended

(2) Clause *c* of subsection 1 of the said section 40 is repealed.

R.S.O. 1960,  
c. 234, s. 40  
(1966,  
c. 85, s. 6),  
subs. 1,  
cl. *c*,  
repealed

2.—(1) Clause *a* of subsection 1 of section 41 of *The Medical Act*, as re-enacted by section 7 of *The Medical Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 234, s. 41  
(1966,  
c. 85, s. 7),  
subs. 1,  
cl. *a*,  
re-enacted

(a) from the order of the discipline committee in a case that the committee has fully disposed of, to a judge of the Supreme Court, at any time within thirty days from the date of the order complained of, with a further right of appeal to the Court of Appeal from the order of the judge; and

(2) Subsection 2 of the said section 41 is repealed.

R.S.O. 1960,  
c. 234, s. 41  
(1966,  
c. 85, s. 7),  
subs. 2,  
repealed

(3) Subsection 4 of the said section 41 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 234, s. 41  
(1966,  
c. 85, s. 7),  
subs. 4,  
re-enacted

(4) Upon the hearing of an appeal the judge or Court of Appeal, as the case may be, may make such order in the matter and as to costs as the judge or Court of Appeal deems proper.

Orders  
and costs

(4) Subsection 7 of the said section 41 is repealed.

R.S.O. 1960,  
c. 234, s. 41  
(1966,  
c. 85, s. 7),  
subs. 7,  
repealed

R.S.O. 1960,  
c. 234,  
amended

**3.** *The Medical Act* is amended by adding thereto the following section:

Interpre-  
tation

51a.—(1) In this section, “medical student” means a person who is enrolled in the medical course of a university in Ontario and performs medical, surgical and obstetrical services as required by the curriculum of studies prescribed by the university.

Medical  
student  
entitled to  
perform  
services

(2) Notwithstanding section 51, a medical student is entitled to perform, under the supervision of a medical practitioner registered under this Act, the medical, surgical and obstetrical services required by the curriculum of studies.

Section 43  
to apply to  
medical  
students

(3) Section 43 applies to a medical student as if he were registered under this Act.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

Short title

**5.** This Act may be cited as *The Medical Amendment Act, 1968*.

## CHAPTER 70

**An Act to amend  
The Medical Services Insurance Act, 1965**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 28 of *The Medical Services Insurance Act, 1965*, <sup>1965, c. 70, s. 28, amended</sup> as amended by section 17 of *The Medical Services Insurance Amendment Act, 1966* and section 8 of *The Medical Services Insurance Amendment Act, 1967*, is further amended by adding thereto the following clause:

(ka) specifying the optometrical procedures that may be performed by such persons other than physicians as are specified, and prescribing the fees payable therefor under standard contracts.

**2.—(1)** Schedule A to *The Medical Services Insurance Act*, <sup>1965, c. 70, Sched. A, amended</sup> 1965, as amended by section 18 of *The Medical Services Insurance Amendment Act, 1966*, is further amended by adding at the end of the amendment of 1966 "and the optometrical procedures that are specified in the regulations that are performed by such persons other than physicians as are specified in the regulations".

(2) Item 9 of the said Schedule A is repealed.

<sup>1965, c. 70, Sched. A, amended</sup>

**3.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. <sup>Commence-  
ment</sup>

**4.** This Act may be cited as *The Medical Services Insurance Amendment Act, 1968*. <sup>Short title</sup>





## CHAPTER 71

## An Act to amend The Mining Act

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Mining Act*, as amended by section 1 of *The Mining Amendment Act, 1962-63* and section 1 of *The Mining Amendment Act, 1967*, is further amended by adding thereto the following paragraphs:

5a. "Director" means the Director of the Mining Lands Branch of the Department of Mines;

. . . . .

22a. "Supervisor" means the Supervisor of the section of the Mining Lands Branch that includes the mining recorders.

2. Subsection 2 of section 9 of *The Mining Act* is repealed and the following substituted therefor:

(2) Where a mining recorder is absent because of illness or for any other reason, the Minister may appoint in writing a person to act as mining recorder *pro tempore*, but such person shall exercise only such of the duties of the recorder as are defined in the appointment.

(3) Where a mining recorder is absent because of illness or for any other reason and no appointment is made under subsection 2, the Supervisor is *pro tempore* mining recorder for that division and may exercise all of the duties of the recorder.

3. Section 17 of *The Mining Act* is amended by striking out "and every inspector is *ex officio* a justice" in the first and second lines and inserting in lieu thereof "Director, Supervisor and every inspector are *ex officio* justices", so that the section shall read as follows:

*Ex officio*  
justices of  
the peace

17. The Commissioner, Director, Supervisor and every inspector are *ex officio* justices of the peace for every county and district in Ontario and a recorder in his division is *ex officio* a justice of the peace for the county or district in which any part of his division lies, and it is not necessary that they possess any residential or property qualification.

R.S.O. 1960,  
c. 241, s. 84,  
subs. 5,  
amended

- 4.—(1) Subsection 5 of section 84 of *The Mining Act* is amended by adding after clause *b* “and, where it is impossible to take core with a core drill through overburden and core is subsequently taken after passage through the overburden, work may be counted as though core was taken for the full length of the drill hole, including the overburden”, so that the subsection shall read as follows:

Diamond or  
other core  
drills

- (5) Where the length of the drill hole is more than 25 feet, boring by diamond or other core drill counts as work,

(a) where the core from the drill is less than  $\frac{7}{8}$  of an inch in diameter or the length of the drill hole is 100 feet or less, at the rate of one day's work for each 4 feet of boring; and

(b) where the core from the drill is  $\frac{7}{8}$  of an inch or more in diameter and the length of the drill hole is greater than 100 feet, at the rate of one day's work for each foot of boring,

and, where it is impossible to take core with a core drill through overburden and core is subsequently taken after passage through the overburden, work may be counted as though core was taken for the full length of the drill hole, including the overburden.

R.S.O. 1960,  
c. 241, s. 84,  
subs. 6,  
re-enacted

- (2) Subsection 6 of the said section 84 is repealed and the following substituted therefor:

Core  
specimens

- (6) Where core specimens are submitted with the report and core log for the core drilling referred to in subsection 5, and the core specimens,

(a) are representative of rock types encountered for the hole;

(b) are not less than 3 inches in length;

(c)

- (c) are taken at intervals of not less than 25 feet throughout the length of the hole and are clearly labelled as to the footage,

each specimen counts as one day's work.

- (6a) Boring by other than core drill where the length of the bore hole is greater than 200 feet may be counted as work at the rate of one day's work for each 2 feet of boring, Boring by other than core drill

- (a) if the recorded holder files logs of the type and in the manner prescribed for core drilling; and

- (b) if the bore hole is lengthened by core drilling which is reported to the recorder at the same time as the boring by other than core drill.

(3) The said section 84, as amended by section 7 of *The Mining Amendment Act, 1964* and section 10 of *The Mining Amendment Act, 1967*, is further amended by adding thereto the following subsection: R.S.O. 1960, c. 241, s. 84, amended

- (8a) Notwithstanding subsections 8 and 9 but subject to the maximum credits permitted therein, if a ground geophysical or a geological survey meets the requirements of the Minister, he may authorize the approval of work credits on the basis of performance and coverage, subject to the limitations prescribed in the requirements, but credit for the work shall be cancelled by the recorder unless full reports and plans in duplicate, satisfactory to the Minister, are submitted to the Minister within sixty days of the recording of the work and are approved. Credits for performance and coverage

(4) The said section 84 is amended by adding thereto the following subsection: R.S.O. 1960, c. 241, s. 84, amended

- (9b) A radiometric survey, satisfactory to the Minister, of a mining claim may be recorded as work on the claim if performed by means of, Radiometric surveys

- (a) ground surveys with,

- (i) an instrument that measures the radiation in total units at the rate of seven days work in respect of each claim satisfactorily traversed, and

(ii)

(ii) an instrument that measures separately,

- a. the radiation from potassium, uranium and thorium giving three readings, or
- b. the radiation due to uranium and thorium giving two readings, or
- c. the combined radiation due to uranium and thorium giving one reading,

and if used in areas indicating anomalous conditions with a minimum of four times background count or supplemented by a geological map indicating all outcrops, at the rate of fourteen days work in respect of each claim satisfactorily traversed; and

(b) airborne surveys with,

- (i) an instrument that measures the radiation in total units, at the rate of ten days work in respect of each mile of continuous recordings, and
- (ii) an instrument that measures separately,
  - a. the radiation from potassium, uranium and thorium giving three readings, or
  - b. the radiation due to uranium and thorium giving two readings, or
  - c. the combined radiation due to uranium and thorium giving one reading,

at the rate of twenty days work in respect of each mile of continuous recordings,

but not more than a total of twenty days work may be recorded in respect of each claim, and credit for the work shall be cancelled by the recorder unless full reports and plans in duplicate, satisfactory to the Minister, are submitted to the Minister within sixty days of the recording of the work and are approved.



(5) Subsection 11 of the said section 84, as amended by subsection 4 of section 10 of *The Mining Amendment Act, 1967*, is further amended by inserting after "geochemical" in the amendment of 1967 "radiometric", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 241, s. 84,  
subs. 11,  
amended

- (11) Subsection 6 of section 83 does not apply to geological, geochemical, radiometric and geophysical work, and for the purposes of this Act such work shall be deemed to have been performed equally on each claim actually covered by the survey, and shall be recorded accordingly and in no other way.

Certain  
work  
excepted  
from s. 83,  
subs. 6

(6) The said section 84 is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 241, s. 84,  
amended

- (14a) Where work submitted under subsection 14 has been paid for with a coupon or coupons obtained under section 69, the expenditure represented shall be calculated according to the schedule of charges of the Laboratory Branch, Department of Mines.

Expenditure  
where  
coupons  
used

5. Subsection 9 of section 100a of *The Mining Act*, as enacted by section 28 of *The Mining Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 241,  
s. 100a  
(1962-63,  
c. 84, s. 28),  
subs. 9,  
re-enacted

- (9) The annual rental for a renewal lease, payable in advance, is \$1 an acre for both surface and mining rights and 50 cents an acre for mining rights only, but the minimum annual rental shall be \$10.

Rental for  
renewal  
lease

6. Section 110 of *The Mining Act*, as amended by section 34 of *The Mining Amendment Act, 1962-63*, is further amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 241,  
s. 110,  
amended

- (2) Where a survey is required under subsection 1, the Minister may specify the time within which such work is to be performed and recorded, and the application and payment for a patent, lease or licence of occupation shall be made within the time so specified.

Time  
limits

7.—(1) Subsection 1 of section 113 of *The Mining Act* is amended by striking out "natural gas, coal or salt" in the fourth line and inserting in lieu thereof "or natural gas".

R.S.O. 1960,  
c. 241,  
s. 113,  
subs. 1,  
amended

(2) Subsection 4 of the said section 113 is amended by striking out "natural gas, coal or salt" in the fifth line and inserting in lieu thereof "or natural gas".

R.S.O. 1960,  
c. 241,  
s. 113,  
subs. 4,  
amended



R.S.O. 1960, c. 241, s. 114, subs. 1, amended **8.**—(1) Subsection 1 of section 114 of *The Mining Act* is amended by striking out “natural gas, coal or salt” in the third line and in the ninth line and inserting in lieu thereof in each instance “or natural gas”.

R.S.O. 1960, c. 241, s. 114, subs. 3, amended (2) Subsection 3 of the said section 114 is amended by striking out “natural gas, coal and salt” in the fourth line and in the eleventh and twelfth lines and inserting in lieu thereof in each instance “and natural gas”.

R.S.O. 1960, c. 241, s. 114, subs. 5, amended (3) Subsection 5 of the said section 114 is amended by striking out “natural gas, coal or salt” in the second line and inserting in lieu thereof “or natural gas”.

R.S.O. 1960, c. 241, s. 118, subs. 1, amended **9.** Subsection 1 of section 118 of *The Mining Act* is amended by striking out “quartzite” in the third line and inserting in lieu thereof “quartz”, so that the subsection shall read as follows:

Quarry  
permit

(1) No person shall take or remove or cause to be taken or removed any stone or rock quarried for any industrial or commercial purpose, limestone, marble, granite, quartz, feldspar, fluorspar, gypsum, diatomaceous earth, clay, marl, peat, sand or gravel that is the property of the Crown unless he is the holder of a quarry permit.

R.S.O. 1960, c. 241, s. 138, amended **10.** Section 138 of *The Mining Act* is amended by adding thereto the following subsection:

Appeal by  
Director

(1a) An appeal under subsection 1 may be taken by the Director or the Supervisor on his behalf where, in the opinion of the Minister, the public interest is affected, and no fee prescribed in the Schedule in respect of the appeal is payable by the Director or Supervisor.

R.S.O. 1960, c. 241, s. 659, subs. 1, amended **11.** Subsection 1 of section 659 of *The Mining Act* is amended by striking out “10” in the second line and inserting in lieu thereof “50”, so that the subsection shall read as follows:

Amount  
of tax

(1) There shall be paid to the Crown in right of Ontario in each year an acreage tax of 50 cents an acre on any lands or mining rights to which this Part applies.

1964, c. 62, s. 3, subs. 2, amended **12.** Subsection 2 of section 3 of *The Mining Amendment Act, 1964* is amended by adding at the end thereof “except that, subject to any special terms, the annual rental is \$1 an acre but not less than \$10 in a year”, so that the subsection shall read as follows:

- (2) Notwithstanding subsection 1, section 47 of *The Saving Mining Act* continues in force in respect of leases made before this Act comes into force except that, subject to any special terms, the annual rental is \$1 an acre but not less than \$10 in a year.

**13.** Subsection 4 of section 4 of *The Mining Amendment*<sup>1964, c. 62, s. 4, subs. 4, amended</sup> *Act, 1964* is amended by adding at the end thereof "except that, subject to any special terms, the annual rental is \$1 an acre but not less than \$10 a year, in the case of a lease, or \$5 a year, in the case of a licence of occupation", so that the subsection shall read as follows:

- (4) Notwithstanding subsections 1, 2 and 3, subsections 5 to 10 of section 52 of *The Mining Act* continue in force in respect of leases and licences made before this Act comes into force except that, subject to any special terms, the annual rental is \$1 an acre but not less than \$10 a year in the case of a lease, or \$5 a year in the case of a licence of occupation.

**14.** Subsection 2 of section 9 of *The Mining Amendment*<sup>1964, c. 62, s. 9, subs. 2, amended</sup> *Act, 1964* is amended by adding at the end thereof "except that, subject to any special terms, the annual rental is \$1 an acre but not less than \$10 a year", so that the subsection shall read as follows:

- (2) Notwithstanding subsection 1, section 100 of *The Saving Mining Act* continues in force in respect of leases made before this Act comes into force except that, subject to any special terms, the annual rental is \$1 an acre but not less than \$10 a year.

**15.** Sections 12, 13 and 14 apply to leases upon their Application renewal and to licences of occupation on their anniversary dates, next occurring after those sections come into force.

**16.—**(1) This Act, except section 11, comes into force on Commence- the day it receives Royal Assent. ment

(2) Section 11 comes into force on the 1st day of January, Idem 1969.

**17.** This Act may be cited as *The Mining Amendment*<sup>Short title</sup> *Act, 1968*.



## CHAPTER 72

**An Act to amend The Minors' Protection Act**

*Assented to March 28th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Minors' Protection Act* is repealed. R.S.O. 1960,  
c. 243, s. 1,  
repealed
2. This Act comes into force on the day it receives Royal Assent. Commence-  
ment
3. This Act may be cited as *The Minors' Protection Amend-ment Act, 1968*. Short title





CHAPTER 73

**An Act to amend  
The Motor Vehicle Accident Claims Act, 1961-62**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 7 of *The Motor Vehicle Accident Claims Act*, 1961-62, 1961-62, as amended by section 5 of *The Motor Vehicle* <sup>c. 84, s. 7, amended</sup> *Accident Claims Amendment Act, 1964*, is further amended by adding thereto the following subsection:

(4) Where the defendant is an infant, the Minister may <sup>Infant defendant</sup> exercise the rights and take the action referred to in subsection 2 in the name of the infant without the appointment of a guardian *ad litem* and may assert a counterclaim on behalf of the infant without a next friend.

**2.** This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent. <sup>ment</sup>

**3.** This Act may be cited as *The Motor Vehicle Accident* <sup>Short title</sup> *Claims Amendment Act, 1968*.



## CHAPTER 74

**An Act to amend  
The Motor Vehicle Fuel Tax Act**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 3 of *The Motor Vehicle Fuel Tax Act*, as amended by subsection 1 of section 1 of *The Motor Vehicle Fuel Tax Amendment Act, 1966*, is further amended by striking out “22” in the amendment of 1966 and inserting in lieu thereof “24”, so that the subsection shall read as follows:

(1) Every purchaser shall pay to the Treasurer a tax at the rate of 24 cents per imperial gallon on all fuel received by him.

(2) Subsection 2 of the said section 3, as amended by subsection 2 of section 1 of *The Motor Vehicle Fuel Tax Amendment Act, 1966*, is further amended by striking out “22” in the amendment of 1966 and inserting in lieu thereof “24”, so that the subsection shall read as follows:

(2) Every registrant shall pay to the Treasurer a tax at the rate of 24 cents per imperial gallon on all fuel used by him to generate power for the propulsion of a motor vehicle.

2. This Act shall be deemed to have come into force on the 13th day of March, 1968, and is repealed on the day on which *The Motor Vehicle Fuel Tax Act, 1965* is proclaimed in force.

3. This Act may be cited as *The Motor Vehicle Fuel Tax Amendment Act, 1968*.



## CHAPTER 75

## An Act respecting Motorized Snow Vehicles

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-  
tation

- (a) "Department" means the Department of Transport;
- (b) "highway" means a highway as defined in *The Highway Traffic Act*; R.S.O. 1960, c. 172
- (c) "Minister" means the Minister of Transport;
- (d) "motorized snow vehicle" means a self-propelled vehicle designed to be driven exclusively on snow or ice or both;
- (e) "municipality" includes a metropolitan municipality;
- (f) "regulations" means regulations made under this Act.

2.—(1) The owner of every motorized snow vehicle shall register it with the Department before driving it or causing or permitting it to be driven and shall pay to the Department a fee for the registration thereof and for the number plate thereof. Registration

(2) The Minister shall issue or cause to be issued for each motorized snow vehicle so registered a numbered permit stating that the motorized snow vehicle is registered in accordance with this Act, and shall cause the name of the owner, his address and the number of his permit to be entered in a book to be kept for that purpose. Permit

(3) Every motorized snow vehicle while being driven shall have attached to and exposed on the front thereof, in a conspicuous position, a number plate furnished by the Department showing in plain figures the number of the permit issued for the current year or any part thereof. Number plate



Exceptions  
as to manu-  
facturers,  
dealers,  
non-  
residents

(4) This section does not apply,

(a) to manufacturers of motorized snow vehicles or to dealers in motorized snow vehicles in relation to motorized snow vehicles,

(i) that are kept for sale and are not driven or permitted to be driven upon a highway, or

(ii) that are not rented or leased or kept for renting or leasing to any person;

(b) to a motorized snow vehicle owned by a person who does not reside in Ontario if such vehicle is registered in some other jurisdiction and has attached to it the number plate furnished by such other jurisdiction.

Number  
plate  
property  
of Crown

(5) Every number plate furnished by the Department under this Act is the property of the Crown.

Local  
issuance  
of permits

(6) The Minister may give authority to any person to issue permits for motorized snow vehicles and may define the duties and powers of such person and may authorize and fix the fee to be retained by the person so authorized for each permit issued.

False  
statement

**3.—**(1) No person shall knowingly make a false statement of fact in any application, declaration, affidavit or paper-writing required by this Act or the regulations.

Change of  
address

(2) Where an owner changes his address as given under subsection 2 of section 2, he shall within six days send by registered mail or cause to be filed in the Department his change of address and every subsequent change of address.

Number  
plate  
to be kept  
clean,  
unob-  
structed

**4.—**(1) When a motorized snow vehicle is being driven, the number plate thereon shall be kept free of dirt and the view thereof shall not be obscured or obstructed by any part of the motorized snow vehicle or any equipment or attachment thereon or by the load carried thereon.

Violations  
re number  
plates

(2) No person shall,

(a) deface or alter any number plate furnished by the Department;

(b) use or permit the use of a defaced or altered number plate on a motorized snow vehicle; or

(c) use or permit the use of any number plate upon a motorized snow vehicle except the one furnished by the Department for the motorized snow vehicle.

5.—(1) Except as permitted by the regulations, no person shall drive a motorized snow vehicle upon the King's Highway or a secondary highway. King's Highway, driving on

(2) The Minister may make regulations designating any part or parts of the King's Highway or a secondary highway along or across which motorized snow vehicles may be driven. Regulations

6.—(1) The council of a municipality may pass by-laws prohibiting the driving of motorized snow vehicles along or across any highway or part of a highway under its jurisdiction. Municipal by-laws

(2) Part XXI of *The Municipal Act* applies to by-laws passed under subsection 1. Application of R.S.O. 1960, c. 249

7.—(1) No person under the age of sixteen years shall drive a motorized snow vehicle upon a highway. Driver under 16 prohibited

(2) The owner of a motorized snow vehicle shall not permit any person under the age of sixteen years to drive the motorized snow vehicle upon a highway. Owner not to permit driver under 16

8. The provisions of *The Highway Traffic Act*, except Part XI, and of *The Motor Vehicle Accident Claims Act*, 1961-62 do not apply to a motorized snow vehicle or to the driving thereof. Application of R.S.O. 1960 c. 172, 1961-62, c. 84

9.—(1) No person shall drive a motorized snow vehicle upon a highway unless he is insured under a motor vehicle liability policy in accordance with *The Insurance Act*, and the owner of a motorized snow vehicle shall not permit any person to drive the vehicle upon a highway unless the driver is so insured. Insurance R.S.O. 1960, c. 190

(2) The owner of a motorized snow vehicle who drives or permits the driving of the motorized snow vehicle on a highway shall, upon the request of a constable or other police officer, produce evidence that the motorized snow vehicle or the driver thereof is insured under a motor vehicle liability policy in accordance with *The Insurance Act*. Production of evidence of insurance

(3) Every owner of a motorized snow vehicle who fails to produce evidence under subsection 2 when requested to do so or within a reasonable time of such request is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$500. Offence for failure to produce evidence

(4) Every owner of a motorized snow vehicle who produces false evidence when he is required to produce evidence under subsection 2 is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$500. Offence for producing false evidence

## Regulations

**10.** The Lieutenant Governor in Council may make regulations,

- (a) prescribing rules for driving motorized snow vehicles upon a highway or any place other than a highway and requiring compliance therewith by every person driving a motorized snow vehicle;
- (b) requiring the use or incorporation of any equipment or device in or on motorized snow vehicles and prescribing the specifications therefor;
- (c) providing for the registration of motorized snow vehicles and for the issue, renewal, replacement or transfer of permits and number plates under this Act, and for the payment of fees therefor, and prescribing the amount of such fees;
- (d) providing for the payment of fees for copies of or access to any writing, paper or document filed in the Department pursuant to this Act or the regulations, or any statement containing information from the records of the Department, and prescribing the amount of such fees.

Offences  
and fines

**11.** Every person who contravenes any of the provisions of this Act or the regulations is guilty of an offence and on summary conviction where a fine for the contravention is not otherwise provided for herein is liable to a fine of not less than \$20 and not more than \$100.

Commence-  
ment

**12.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

## Short title

**13.** This Act may be cited as *The Motorized Snow Vehicles Act, 1968*.

## CHAPTER 76

## An Act to amend The Municipal Act

*Assented to, except sections 2, 3 and 4, July 23rd, 1968*

*Sections 2, 3 and 4, assented to March 6th, 1968*

*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 15 of section 14 of *The Municipal Act* is amended by inserting after "amalgamation" in the third line "or refusing an application for an annexation or amalgamation", so that the first three lines of the subsection shall read as follows:

R.S.O. 1960,  
c. 249, s. 14,  
subs. 15,  
amended

(15) Section 94 of *The Ontario Municipal Board Act* does not apply to a decision of the Municipal Board providing for an annexation or amalgamation or refusing an application for an annexation or amalgamation and such decision,

Decision  
granting<sup>!!</sup>  
annexation  
or amal-  
gamation  
R.S.O. 1960,  
c. 274

. . . . .

2. Subsection 1 of section 17 of *The Municipal Act* is amended by inserting after "village" where it occurs the first time in the fourth line "or township", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 249, s. 17,  
subs. 1,  
amended

(1) The incorporation of a locality as an improvement district, township, village or town, or the erection of an improvement district into a village, township or town, or the erection of a village or township into a town, or the erection of a village, town or township into a city, or the separation of a township from a union of townships, does not affect the by-laws then in force in the locality or municipality, and they remain in force in the locality or municipality until repealed by the council of the newly incorporated or erected municipality.

By-laws  
to remain  
in force on  
incorpora-  
tions, etc.

3. Clause *d* of subsection 1 of section 19 of *The Municipal Act* is amended by inserting after "village" in the first line "or township", so that the clause shall read as follows:

R.S.O. 1960,  
c. 249, s. 19,  
subs. 1, cl. *d*,  
amended

(*d*)



(d) a village or township is erected into a town.

R.S.O. 1960,  
c. 249, s. 22,  
subs. 1, cl. c,  
amended

4. Clause *c* of subsection 1 of section 22 of *The Municipal Act* is amended by inserting after "village" in the first line "or township", so that the clause shall read as follows:

(c) a village or township is erected into a town.

R.S.O. 1960,  
c. 249, s. 34,  
subs. 1, cl. c,  
amended

5. Clause *c* of subsection 1 of section 34 of *The Municipal Act* is amended by striking out "and has taken the oath of allegiance (Form 2)" in the first and second lines, so that the clause shall read as follows:

(c) is a British subject.

R.S.O. 1960,  
c. 249, s. 35,  
subs. 3, cl. e  
amended

6. Clause *e* of subsection 3 of section 35 of *The Municipal Act* is amended by inserting after "appointed" in the first line "under section 409", so that the clause shall read as follows:

(e) of his having been appointed under section 409 and paid for his services as commissioner, superintendent or overseer of any work, other than a high-way, undertaken wholly or in part at the expense of the corporation.

R.S.O. 1960,  
c. 249, s. 48,  
subs. 1, cl. b  
repealed

7. Clause *b* of subsection 1 of section 48 of *The Municipal Act* is repealed.

R.S.O. 1960,  
c. 249, s. 148,  
subs. 1,  
amended

8.—(1) Subsection 1 of section 148 of *The Municipal Act* is amended by striking out "sections 149 and 150" in the first line and inserting in lieu thereof "section 150", so that the subsection shall read as follows:

When new  
election  
to be held

(1) Subject to section 150, a new election shall be held forthwith where,

(a) a person elected has neglected or refused to accept office or to make the prescribed declarations within the prescribed time; or

(b) a vacancy, except in the office of controller, occurs from any cause.

R.S.O. 1960,  
c. 249, s. 148,  
subs. 6,  
amended

(2) Subsection 6 of the said section 148 is amended by striking out "sections 149 and 150" in the first line and inserting in lieu thereof "section 150", so that the subsection shall read as follows:



- (6) Subject to section 150, no person who is a member of the council and whose term of office has at least two months to run after the day on which the nomination meeting for the new election is to be held is eligible to be nominated for membership in the council in any other office unless he has before the time of the opening of the nomination meeting filed his resignation from the office that he then holds with the clerk of the municipality, and the clerk shall not place on the ballot paper the name of any such person as a candidate who fails to file such resignation within the time aforesaid. Resignations

**9.** Section 149 of *The Municipal Act*, as amended by *R.S.O. 1960, c. 249, s. 149*, section 6 of *The Municipal Amendment Act, 1962-63*, is repealed. repealed

**10.—(1)** Section 150 of *The Municipal Act* is amended by *R.S.O. 1960, c. 249, s. 150*, adding thereto the following subsection: amended

- (1a) In the appointment of a member of council to fill a vacancy under subsection 1, any member of council may nominate any other member of council to fill the vacancy and, if more than one councillor is nominated, a vote of the members of council shall be taken and the person who receives the highest number of votes is entitled to the office, and, in the event of a tie, the matter shall be determined by lot cast by the clerk in the presence of the persons having the equal number of votes. Filling of vacancy

(2) Subsection 3 of the said section 150, as amended by *R.S.O. 1960, c. 249, s. 150, subs. 3*, subsection 2 of section 7 of *The Municipal Amendment Act, 1962-63*, is repealed and the following substituted therefor: re-enacted

- (3) Where a vacancy occurs in the office of alderman or councillor and an election has not been ordered in a judicial proceeding, the council, at a meeting called for that purpose shall appoint a person to fill the vacancy for the remainder of the term. Vacancy in office of alderman or councillor

- (3a) In the appointment to fill a vacancy under subsection 3, any member of council may nominate a person who is qualified to be elected a member of council and who has consented to accept the office if appointed to fill a vacancy, and, if more than one person is nominated, a vote of the members of council shall be taken and the person who receives the highest number of votes is entitled to the office, and, in the event of a tie, the presiding officer shall have an additional deciding vote. Filling of vacancy

R.S.O. 1960,  
c. 249, s. 150  
subs. 4,  
amended

(3) Subsection 4 of the said section 150 is amended by striking out "149" in the fourth line and inserting in lieu thereof "this section", so that the subsection shall read as follows:

Vacancies  
not requiring  
a by-election

- (4) Where the seat of a member of council is rendered vacant by reason of the filing of the resignation mentioned in subsection 2 of section 35, the vacancy shall not be filled in the manner provided in section 148 or this section, but the seat shall remain vacant until the next ensuing election when it shall be filled in the manner provided by this Act or any special Act that may be applicable, except that the person then elected to fill the vacancy shall hold office only for the remainder of the term for which the person who vacated the office was elected to such office.

R.S.O. 1960,  
c. 249, s. 203,  
subss. 2-6,  
repealed

**11.** Subsections 2, 3, 4, 5 and 6 of section 203 of *The Municipal Act*, as amended by section 27 of *The Municipal Amendment Act, 1961-62*, are repealed.

R.S.O. 1960,  
c. 249, s. 228,  
subs. 1,  
amended

**12.—**(1) Subsection 1 of section 228 of *The Municipal Act*, as amended by section 18 of *The Municipal Amendment Act, 1965*, is further amended by striking out "subsection 5 of section 12 of *The Secondary Schools and Boards of Education Act* or subsection 4a of section 51 of *The Secondary Schools and Boards of Education Act*" in the amendment of 1965 and inserting in lieu thereof "or under subsection 5 of section 12, subsection 4a of section 51 or Part VI of *The Secondary Schools and Boards of Education Act* or under Part IX of *The Regional Municipality of Ottawa-Carleton Act, 1968*", so that the subsection shall read as follows:

Appoint-  
ment of  
auditors

- (1) The council of every municipality shall by by-law appoint one or more auditors who shall be persons licensed by the Department as municipal auditors and who shall hold office during good behaviour and be removable for cause upon the vote of two-thirds of the members of the council, and every person so appointed shall, in addition to his duties in respect of the corporation, audit the accounts and transactions of every local board as defined in *The Department of Municipal Affairs Act*, except school boards established under section 12 of *The Public Schools Act* or under subsection 5 of section 12, subsection 4a of section 51 or Part VI of *The Secondary Schools and Boards of Education Act* or under Part IX of *The Regional Municipality of Ottawa-Carleton Act, 1968*.

R.S.O. 1960,  
cc. 98, 330,  
362  
1968, c. 115

(2) Subsection 5 of the said section 228 is amended by inserting after "Act" in the first line "except Part VI of *The Secondary Schools and Boards of Education Act*", so that the subsection shall read as follows: R.S.O. 1960, c. 249, s. 228, subs. 5, amended

- (5) Where by any other general or special Act, except Part VI of *The Secondary Schools and Boards of Education Act*, auditors are required to be appointed or elected by or for any authority within the meaning of this section, the exercise of such power is not mandatory, notwithstanding such Act. Provision to avoid duplication of audits R.S.O. 1960, c. 362

**13.** Subsection 1 of section 236 of *The Municipal Act*, as re-enacted by section 13 of *The Municipal Amendment Act, 1966*, is amended by adding at the end thereof "and an oath of allegiance (Form 2)", so that the subsection shall read as follows: R.S.O. 1960, c. 249, s. 236, subs. 1, (1966, c. 93, s. 13), amended

- (1) Every member of a council, trustee of a police village and public utility commissioner, before entering on the duties of his office, shall make and subscribe a declaration of office (Form 20) and an oath of allegiance (Form 2). Declaration of office of members of council, etc.

**14.** Section 241 of *The Municipal Act* is amended by adding thereto the following subsection: R.S.O. 1960, c. 249, s. 241, amended

- (4) The judge may engage counsel and such other assistants and staff and incur such incidental expenses as he deems advisable for the proper conduct of the investigation or inquiry, and the municipality shall pay the costs thereof. Idem

**15.** *The Municipal Act* is amended by adding thereto the following sections: R.S.O. 1960, c. 249, amended

- 252a—(1) When there is an emergency as defined in *The Emergency Measures Act, 1962-63* and the council is required to appoint a person or persons to fill a vacancy or vacancies in the offices of mayor, reeve, deputy reeve, controller, alderman or councillor, when a quorum of the council cannot be obtained, the surviving member or members of council capable of performing his or their duties as such or where there are no surviving members of council capable of performing their duties as such, the chairman of the emergency measures committee under the plan formulated for the municipality under *The Emergency Measures Act, 1962-63*, shall make the appointments required under section 150 and subsection 2 of Council meetings during emergency 1962-63, c. 41



section 205, but such appointments shall be only for the duration of the emergency and such further time as is required to hold an election as provided in subsection 2.

Election  
to fill  
vacancies  
after  
emergency

- (2) When the emergency has ceased, a new election shall be held to elect the persons to fill the vacancies for the remainder of the terms of the members whose seats have become vacant, and the provisions of section 148 apply *mutatis mutandis*.

Acquisition  
of property  
during  
emergency

- 252b. Where there is an emergency as defined in *The Emergency Measures Act, 1962-63*, the meetings of any municipal council may be held at any convenient location within or outside the municipality, and the council of a municipality may acquire and hold such land at such locations and erect such buildings thereon as may be convenient for such purpose and for any other purpose of the municipality.

R.S.O. 1960,  
c. 249, s. 286,  
subs. 2,  
cls. f, k,  
repealed

- 16.**—(1) Clause *f* and clause *k*, as amended by section 25 of *The Municipal Amendment Act, 1965*, of subsection 2 of section 286 of *The Municipal Act* are repealed.

R.S.O. 1960,  
c. 249, s. 286,  
subs. 3, cl. d,  
repealed

- (2) Clause *d* of subsection 3 of the said section 286, as amended by subsection 2 of section 10 of *The Municipal Amendment Act, 1960-61*, is repealed.

R.S.O. 1960,  
c. 249, s. 286,  
subs. 3,  
cl. i,  
amended

- (3) Clause *i* of subsection 3 of the said section 286 is amended by striking out "43 of *The Public Libraries Act*" in the fifth and sixth lines and inserting in lieu thereof "24 of *The Public Libraries Act, 1966*", so that the clause shall read as follows:

R.S.O. 1960,  
cc. 330, 362,

1966, c. 128

- (i) for providing money for any of the purposes mentioned in section 63 or 65 of *The Public Schools Act*, or subsection 1 of section 7, section 31 or subsection 5 of section 35 of *The Secondary Schools and Boards of Education Act*, or section 24 of *The Public Libraries Act, 1966*; or

R.S.O. 1960,  
c. 249, s. 296,  
subs. 4,  
re-enacted

- 17.** Subsection 4 of section 296 of *The Municipal Act* is repealed and the following substituted therefor:

How special  
rate may  
be avoided

- (4) Any person liable to a special rate under a by-law passed under subsection 1 may, within thirty days after delivery of the notice of taxes under section 115

of *The Assessment Act*, notify in writing the clerk that he objects to the assessment and levy by the by-law authorized by subsection 1, and thereupon the clerk shall amend the collector's roll by striking out such assessment and levy in respect of such person and shall write his name or initials against such amendment and deliver a notice of taxes amended accordingly to such person.

R.S.O. 1960,  
c. 23

**18.** Section 355 of *The Municipal Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 249, s. 355,  
re-enacted

355. Where the attendance of a prisoner confined in a jail is required at a hearing or proceeding, the municipality maintaining the police force that delivered the prisoner to the jail is responsible for conveying the prisoner from the jail to the place of the hearing or proceeding and for his return.

Conveyance  
of prisoners

**19.** Sections 356 and 357, section 358, as amended by section 40 of *The Municipal Amendment Act, 1961-62*, and sections 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 374 and 375 of *The Municipal Act* are repealed.

R.S.O. 1960,  
c. 249,  
ss. 356-371,  
374, 375,  
repealed

**20.**—(1) Paragraph 17a of section 377 of *The Municipal Act*, as enacted by subsection 2 of section 15 of *The Municipal Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 249, s. 377,  
par. 17a  
(1962-63,  
c. 87, s. 15,  
subs. 2),  
re-enacted

17a. For prohibiting the obstruction of any drain or watercourse and for requiring the person causing the obstruction to remove it.

Obstruction  
of drains

17b. For permitting and regulating the size and mode of construction of culverts and bridges that cross any drain or watercourse situated on a highway under the jurisdiction of the municipality.

Construction  
of culverts,  
etc., crossing  
drains

(2) Paragraph 29 of the said section 377 is amended by striking out "children" in the third line and inserting in lieu thereof "persons", so that the paragraph shall read as follows:

R.S.O. 1960,  
c. 249, s. 377,  
par. 29,  
amended

29. For granting aid to any association duly constituted for the promotion of the welfare and education of retarded persons within the municipality.

Aid for  
retarded  
persons

(3) Paragraph 69 of the said section 377, as amended by subsections 5 and 6 of section 41 of *The Municipal Amendment Act, 1961-62*, is further amended by adding thereto the following clause:

R.S.O. 1960,  
c. 249, s. 377,  
par. 69,  
amended



- (h) A board of management appointed under this paragraph for an arena or community centre shall have the power to let from year to year or for any time not exceeding ten years the right to sell refreshments within the arena or community centre under such terms and conditions as the board may prescribe.

R.S.O. 1960,  
c. 249, s. 379,  
subs. 1,  
par. 52, cl. b,  
amended

**21.**—(1) Clause *b* of paragraph 52 of subsection 1 of section 379 of *The Municipal Act* is amended by striking out “approved by the Municipal Board and” in the third line, so that the clause shall read as follows:

Assent of  
electors not  
required

- (b) No such by-law requires the assent of the electors if the by-law authorizing the undertaking has been passed by a vote of three-fourths of all the members of the council.

R.S.O. 1960,  
c. 249, s. 379,  
subs. 1,  
par. 52, cl. c,  
re-enacted

(2) Clause *c* of paragraph 52 of subsection 1 of the said section 379 is repealed and the following substituted therefor:

Approval of  
O.M.B.

- (c) The Municipal Board, upon application for approval with respect to works undertaken under this paragraph, may, in addition to the inquiry required by section 62 of *The Ontario Municipal Board Act*, have due regard to the financial position of the undertaking and to the additional revenue, if any, that might be derived as a result of the proposed work.

R.S.O. 1960,  
c. 274

R.S.O. 1960,  
c. 249, s. 379,  
subs. 1,  
amended

(3) Subsection 1 of the said section 379 is amended by adding thereto the following paragraph:

Prohibiting  
littering of  
private  
property

- 68a. For prohibiting the throwing, placing or depositing of refuse or debris on private property without authority from the owner or occupant of such property.

R.S.O. 1960,  
c. 249, s. 379,  
subs. 1,  
par. 75,  
amended

(4) Paragraph 75 of subsection 1 of the said section 379 is amended by striking out “and for acquiring land within the municipality or in any adjacent municipality with the consent of the council thereof for any of the purposes of this paragraph” in the sixth, seventh, eighth and ninth lines, so that the paragraph, exclusive of the clause, shall read as follows:

Collection,  
removal and  
disposal of  
garbage, etc.

75. For establishing and maintaining a system for the collection, removal and disposal of garbage or of garbage and other refuse or of ashes, garbage and other refuse, and for contracting with any person for the collection, removal and disposal by him of ashes,

garbage

garbage and other refuse upon such terms and conditions as may be deemed expedient, and for erecting and maintaining with the approval of the Department of Health such buildings, machinery and plant as may be deemed necessary for the purposes of this paragraph.

(5) Paragraph 76 of subsection 1 of the said section 379 is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 379, subs. 1, par. 76, re-enacted

76. For acquiring land in any local municipality or in territory without municipal organization for any of the purposes of paragraph 75. Acquisition of land for garbage disposal

(a) No land shall be acquired in a local municipality under this paragraph without the approval of the local municipality, which approval may be granted upon such terms and conditions as may be agreed upon, or failing such approval or agreement, the approval of the Municipal Board, and no land shall be acquired in territory without municipal organization under this paragraph without the approval of the Municipal Board.

(b) The Municipal Board, before giving its approval under this paragraph, shall hold a public hearing and shall give or cause to be given at least ten days notice of the hearing to the clerk of the local municipality concerned and to such other persons in such manner as the Municipal Board may direct and the Municipal Board, as a condition to giving any such approval, may by its order impose such restrictions, limitations and conditions respecting the acquisition or use of such land as to the Municipal Board may appear necessary or expedient and the Municipal Board may order the amendment of any official plan or of any by-law passed under section 30 of *The Planning Act* to permit the use of the land for the purposes for which it is to be acquired. R.S.O. 1960, c. 296

(6) Paragraph 108 of subsection 1 of the said section 379 is amended by inserting after "property" in the third line "or on property of the municipality or any local board thereof where parking by the public is not authorized", so that the paragraph, exclusive of the clauses, shall read as follows: R.S.O. 1960, c. 249, s. 379, subs. 1, par. 108, amended

Prohibiting  
unauthorized  
parking on  
private or  
municipal  
property

108. For prohibiting the parking or leaving of motor vehicles on private property without authority from the owner or occupant of such property or on property of the municipality or any local board thereof where parking by the public is not authorized and providing for the removal and impounding of any vehicle so parked or left at the expense of the owner thereof.

. . . . .

R.S.O. 1960,  
c. 249, s. 379,  
subs. 1,  
par. 112,  
amended

(7) Paragraph 112 of subsection 1 of the said section 379 is amended by adding thereto the following clause:

(b) A by-law under this paragraph does not apply to the use of any land or structure by a municipality.

R.S.O. 1960,  
c. 249, s. 394,  
par. 13,  
repealed

22. Paragraph 13 of section 394 of *The Municipal Act* is repealed.

R.S.O. 1960,  
c. 249,  
amended

23. *The Municipal Act* is amended by adding thereto the following section:

Special  
sales

401a.—(1) In this section, “special sale” means any sale or intended sale at retail described by the use of any of the following words or expressions, or any enlargement, contraction or combination thereof:

bankrupt	moving out	fire
insolvent	selling out	smoke
trustee	lease expiring	water damage
receiver	closing out	creditor
liquidation	discontinuing	forced

or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in a manner that is not in the ordinary course of retail business.

Licensing  
and  
regulating  
special sales

(2) By-laws may be passed by the councils of towns, townships and villages and of cities having a population of less than 100,000 and by boards of commissioners of police of cities having a population of not less than 100,000,

(a) for licensing and regulating special sales of goods and persons conducting such sales, and for prohibiting special sales of goods without a licence;

(b)

- (b) prescribing the conditions on which licences may be removed, and providing for the revocation of such licences;
  - (c) fixing a fee for such licences; and
  - (d) for appointing inspectors and providing for the inspection of such goods.
- (3) A by-law under this section does not apply to a <sup>Application</sup> sale by or under the authority of,
- (a) a receiver or trustee under the *Bankruptcy Act* (Canada) or a liquidator under the *Winding-up Act* (Canada); <sup>R.S.C. 1952, cc. 14, 296</sup>
  - (b) a court or receiver appointed by the court;
  - (c) a bailiff, sheriff, executor or administrator; or
  - (d) a receiver, liquidator or trustee under any general or special Act.

**24.**—(1) Subsection 1 of section 405 of *The Municipal Act* <sup>R.S.O. 1960, c. 249, s. 405, subs. 1, re-enacted</sup> is repealed and the following substituted therefor:

- (1) The council of a municipality may pass by-laws for paying the members of council for attendance at meetings of council or of its committees such per diem rate as the council may determine. <sup>Daily remuneration of councillors</sup>

(2) Subsection 4 of the said section 405 is repealed and the following substituted therefor: <sup>R.S.O. 1960, c. 249, s. 405, subs. 4, re-enacted</sup>

- (4) The head of the council of a municipality may be paid for his services as a member of any public utility commission the same per diem rate as is determined by the council under subsection 1. <sup>Fees to head of council on public utility commission</sup>

**25.** Section 406 of *The Municipal Act*, as amended by section 18 of *The Municipal Amendment Act, 1962-63* and section 31 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor: <sup>R.S.O. 1960, c. 249, s. 406, re-enacted</sup>

406.—(1) The council of a municipality may pass by-laws for paying the members of council such annual allowance as council may determine. <sup>Annual allowance of councillors,</sup>

- (2) The council of a municipality may pass by-laws for paying, in addition to the allowance paid under subsection 1, such annual allowance as council may determine to each chairman of a standing committee and to the chairman of the court of revision and of the local board of health. <sup>chairmen</sup>



R.S.O. 1960,  
c. 249, s. 411,  
subs. 2  
(1964, c. 68,  
s. 13),  
amended

**26.** Subsection 2 of section 411 of *The Municipal Act*, as re-enacted by section 13 of *The Municipal Amendment Act, 1964* and amended by section 31 of *The Municipal Amendment Act, 1966*, is further amended by inserting after "council" in the second line "present and voting", so that the subsection shall read as follows:

Expenditure  
for publicity

- (2) The council of a municipality may, by a vote of three-fourths of all the members of the council present and voting or, in the case of a county, by a vote of three-fourths of the voting strength of the council, expend in any year such sum as it may determine for the purpose of paying any expenses of its department and commissioner of industries, if any, and for the purpose of diffusing information respecting the advantages of the municipality as an industrial, business, educational, residential or vacation centre.

R.S.O. 1960,  
c. 249, s. 459,  
subs. 6,  
cl. c,  
amended

**27.** Clause c of subsection 6 of section 459 of *The Municipal Act* is amended by striking out "sooner than three months or" in the fourth and fifth lines, so that the clause shall read as follows:

- (c) in the case of other townships, does not have any force until confirmed by a by-law of the council of the county in which the township is situated passed at an ordinary meeting of the council held not later than one year after the passing of the by-law by the council of the township.

R.S.O. 1960,  
c. 249, s. 469,  
par. 3  
(1967, c. 55,  
s. 20),  
amended

**28.—**(1) Paragraph 3 of section 469 of *The Municipal Act*, as re-enacted by section 20 of *The Municipal Amendment Act, 1967*, is amended by inserting after "sidewalks" in the twenty-third and twenty-fourth lines "and for permitting the owners or lessees of land to leave in the highways piling or shoring used in building operations after the building operations are completed", so that the paragraph, exclusive of the clauses, shall read as follows:

Use of  
highways  
by owners  
and lessees  
of abutting  
lands

3. For permitting the owners of land to make, maintain and use areas under and openings to them in the highways and sidewalks and for permitting the owners or lessees of land abutting on one side of a highway to construct, maintain and use a bridge or other structure over, across or under the highway for the purpose of access to land on the other side of the highway, which any such owner or lessee owns or leases or in respect of which he has a licence of occupation, and for permitting the owners of land to maintain and use signs and other advertising



devices that project over the sidewalks, movable receptacles containing plants, shrubs or trees over or upon the sidewalks and canopies that project over the sidewalks, and for permitting the owners or lessees of land to make, maintain and use over the sidewalks and untravelled portions of the highway covers of cloth, rubber, plastic or similar material with suitable frames therefor at a height of not less than eight feet above the highway together with posts for the support of such cover and frame, and for permitting the owners or lessees of land to install, maintain and use heating devices in, under, over or upon the sidewalks, and for permitting the owners or lessees of land to leave in the highways piling or shoring used in building operations after the building operations are completed and for prescribing the terms and conditions upon which the same shall be made, constructed, installed, maintained and used and for making such annual or other charge for the privilege conferred by the by-law as the council may deem reasonable, and for providing that, upon the termination of such privilege, the highway shall be restored to its former condition at the expense of the owner or lessee of the land, to which the privilege is appurtenant, by filling in the area or opening, removing the bridge, structure, sign or other advertising device, receptacle, canopy, cover, frame and posts or heating device or otherwise as may be required by the by-law.

(2) Clause *b* of paragraph 3 of the said section 469 is amended by inserting after "device" in the seventh line "or piling or shoring", so that the clause shall read as follows:

R.S.O. 1960.,  
c. 249, s. 469  
par. 3  
(1967, c. 55,  
s. 20), cl. *b*,  
amended

- (*b*) The corporation is liable for any want of repair of the highway that may result from the construction, installation, maintenance and use of any such area or opening, bridge or structure, sign or advertising device, receptacle, canopy, cover, frame and posts or heating device or piling or shoring, but is entitled to the remedy over provided for by section 450 against the person by whose act or omission the want of repair is caused.

Liability  
of  
corporation  
for damages

**29.** Section 494 of *The Municipal Act* is amended by striking out "subject to the approval of the Department" in the first and second lines, so that the section shall read as follows:

R.S.O. 1960,  
c. 249, s. 494,  
amended

494. Any trustee may be paid such annual or other remuneration as the trustees may determine.

Remunera-  
tion

R.S.O. 1960,  
c. 249, s. 522,  
subs. 5  
(1966, c. 93,  
s. 37),  
amended

**30.** Subsection 5 of section 522 of *The Municipal Act*, as re-enacted by section 37 of *The Municipal Amendment Act, 1966*, is amended by striking out "a high school board of a high school district established under subsection 4 of section 12 of *The Secondary Schools and Boards of Education Act*, or a board of a county or district school area" in the sixth, seventh, eighth, ninth and tenth lines and inserting in lieu thereof "a divisional board of education established under Part VI of *The Secondary Schools and Boards of Education Act*", so that the subsection shall read as follows:

Board  
deemed to be  
local board

(5) Except where otherwise provided by the Municipal Board, the members of the board, with respect to the improvement district, shall be the members of every local board within the meaning of *The Department of Municipal Affairs Act*, except a local board of health, a separate school board, a divisional board of education established under Part VI of *The Secondary Schools and Boards of Education Act* or a board of a township school area that includes the whole or part of another municipality or territory without municipal organization.

R.S.O. 1960  
c. 249,  
Form 2,  
amended

**31.** Form 2 of *The Municipal Act* is amended by striking out "a candidate for election" in the first line and inserting in lieu thereof "having been elected", so that the Form shall read as follows:

FORM 2

(Section 236 (1) )

I,.....having been elected to  
the office of.....in the municipality  
of.....do swear that I will be  
faithful and bear true allegiance to Her Majesty Queen Eliza-  
beth II (*or the reigning sovereign for the time being*).

Sworn before me at the..... }  
of..... }  
in the.....of..... }  
this.....day of....., }  
19..... }

1966, c. 93,  
s. 40, subs. 7,  
amended

**32.—**(1) Subsection 7 of section 40 of *The Municipal Amendment Act, 1966* is amended by striking out "subsection 2 of section 15 and" in the first line.

1966, c. 93,  
s. 40,  
amended

(2) The said section 40 is amended by adding thereto the following subsection:

Idem

(8) Subsection 2 of section 15 comes into force on the 1st day of April, 1967.

**33.**—(1) This Act, except sections 2, 3, 4, 14, 16, 18 and 19 comes into force on the day it receives Royal Assent. <sup>Commence-  
ment</sup>

(2) Sections 2, 3 and 4 shall be deemed to have come into <sup>Idem</sup> force on the 8th day of July, 1966.

(3) Sections 14, 16, 18 and 19 shall be deemed to have <sup>Idem</sup> come into force on the 1st day of January, 1968.

**34.** This Act may be cited as *The Municipal Amendment* <sup>Short title</sup> *Act, 1968.*



## CHAPTER 77

**An Act to amend The Municipal Corporations Quieting Orders Act**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 2 of section 3 of *The Municipal Corporations Quieting Orders Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 251, s. 3, subs. 2, re-enacted

- (2) The application shall be in duplicate, shall specify the nature of the doubt that exists and shall be accompanied by a proposed description of the boundaries to be established. Particulars of application

**2.** Clause *b* of section 6 of *The Municipal Corporations Quieting Orders Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 251, s. 6, cl. b, re-enacted

- (b) publish in *The Ontario Gazette* notice of the making of the order and the date thereof.

**3.** Section 8 of *The Municipal Corporations Quieting Orders Act* is amended by striking out "\$10" in the second line and inserting in lieu thereof "\$15", so that the section shall read as follows: R.S.O. 1960, c. 251, s. 8, amended

8. The fee payable upon an application under this Act shall be fixed by the Board, but shall not exceed \$15. Fee of Board

**4.** This Act comes into force on the day it receives Royal Assent. Commencement

**5.** This Act may be cited as *The Municipal Corporations Quieting Orders Amendment Act, 1968*. Short title





## CHAPTER 78

**An Act to amend  
The Municipal Tax Assistance Act**

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 5 of section 5 of *The Municipal Tax Assistance Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 258, s. 5,  
subs. 5,  
re-enacted

(5) Notwithstanding subsection 6 of section 3, sections 61 and 62 of *The Local Improvement and Drainage Assessments Act, 1962-63*, the Department or the Crown agency may pay local improvement and drainage assessments in respect of any provincial property. Local improve-  
ment and  
drainage  
assessments  
R.S.O. 1960,  
c. 223,  
1962-63,  
c. 39

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The Municipal Tax Assistance Amendment Act, 1968*. Short title



## CHAPTER 79

## An Act to amend The Municipal Unconditional Grants Act

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *c* of section 1 of *The Municipal Unconditional Grants Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 259, s. 1,  
cl. *c*,  
re-enacted

(*c*) "municipality" means a metropolitan municipality, regional municipality, city, town, village or township, but does not include a municipality situated within a metropolitan or regional municipality.

2. Section 8 of *The Municipal Unconditional Grants Act* is repealed. R.S.O. 1960,  
c. 259, s. 8,  
repealed

3. Subsection 1 of section 8*a* of *The Municipal Unconditional Grants Act*, as re-enacted by section 1 of *The Municipal Unconditional Grants Amendment Act, 1966*, is amended by inserting after "metropolitan" in the first line "or regional" and by inserting after "Act" in the fourteenth line "or section 22*a* of *The Private Hospitals Act*", so that the subsection shall read as follows: R.S.O. 1960,  
c. 259, s. 8*a*  
(1966, c. 95,  
s. 1), subs. 1,  
amended

(1) Where a metropolitan or regional municipality, a city or separated town in a county, a county or a municipality in a territorial district incurs an expenditure, Grants re  
indigent  
hospitaliza-  
tion

(*a*) for premiums payable to the Ontario Hospital Services Commission to insure indigent persons of such municipality; or

(*b*) to discharge a liability under sections 18 and 27 of *The Public Hospitals Act* or section 22 of *The Private Hospitals Act*, R.S.O. 1960,  
cc. 322, 305

such

R.S.O. 1960,  
cc. 322, 305

such municipality shall be eligible in any year to receive an annual grant equal to 80 per cent of such expenditure for the preceding year less 50 per cent of the amount recovered by such municipality under sections 29 and 30 of *The Public Hospitals Act* or section 22a of *The Private Hospitals Act* in such preceding year.

R.S.O. 1960,  
c. 259,  
Sched.  
(1967, c. 57,  
s. 1),  
re-enacted

4. The Schedule to *The Municipal Unconditional Grants Act*, as re-enacted by section 1 of *The Municipal Unconditional Grants Amendment Act, 1967*, is repealed and the following substituted therefor:

## SCHEDULE

### (Section 7)

In recognition of the expenditures that local municipalities are required to make to provide municipal services and in recognition of the larger per capita expenditures that municipalities with larger populations are required to make on certain municipal services, the following unconditional per capita grants, to be used to reduce the amount of taxes to be levied on residential and farm assessment:

1. To a metropolitan municipality, regional municipality or city,
  - (a) having a population of 750,000 or more, \$7.00 per capita;
  - (b) having a population of 400,000 or more but less than 750,000, \$6.50 per capita;
  - (c) having a population of 200,000 or more but less than 400,000, \$6.00 per capita;
  - (d) having a population of 75,000 or more but less than 200,000, \$5.75 per capita;
  - (e) having a population of less than 75,000, \$5.50 per capita.
2. To a town or village,
  - (a) having a population of 10,000 or more, \$5.25 per capita;
  - (b) having a population of 7,000 or more but less than 10,000, \$5.00 per capita;
  - (c) having a population of 5,000 or more but less than 7,000, \$4.75 per capita;
  - (d) having a population of 2,000 or more but less than 5,000, \$4.60 per capita;
  - (e) having a population of less than 2,000, \$4.50 per capita.
3. To a township,
  - (a) having a population of 20,000 or more, \$5.25 per capita;
  - (b) having a population of 15,000 or more but less than 20,000, \$5.00 per capita;

(c)



- (c) having a population of 10,000 or more but less than 15,000, \$4.85 per capita;
- (d) having a population of 5,000 or more but less than 10,000, \$4.75 per capita;
- (e) having a population of 2,000 or more but less than 5,000, \$4.60 per capita;
- (f) having a population of less than 2,000, \$4.50 per capita.

The following unconditional per capita grant to represent a share of fines, except those levied under municipal by-laws, to be used to reduce the amount of taxes to be levied on residential and farm assessment:

4. To each municipality,

50 cents per capita.

**5.** This Act shall be deemed to have come into force on <sup>Commence-</sup>ment the 1st day of January, 1968.

**6.** This Act may be cited as *The Municipal Unconditional Grants Amendment Act, 1968*. <sup>Short title</sup>



## CHAPTER 80

## An Act to amend The Municipality of Metropolitan Toronto Act

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 11 of *The Municipality of Metropolitan Toronto Act*, as amended by section 2 of *The Municipality of Metropolitan Toronto Amendment Act, 1962-63*, is repealed and the following substituted therefor:

11.—(1) The chairman may be paid for his services as chairman and as a member of any local board of the Metropolitan Corporation or committee of the Metropolitan Council such annual remuneration as the Metropolitan Council may determine.

(2) The members of the Metropolitan Council, other than the chairman, may be paid such annual or other remuneration as the Metropolitan Council may determine.

**2.**—(1) Subsection 2 of section 12 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 6 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is amended by striking out "subsection 1" in the second line and inserting in lieu thereof "subsections 1 and 1a", so that the subsection shall read as follows:

(2) The Executive Committee has all the powers and duties of a board of control under subsections 1 and 1a of section 206 of *The Municipal Act*, and subsections 2 to 15 and 17 to 19 of that section apply *mutatis mutandis*.

(2) Subsection 3 of the said section 12 is repealed and the following substituted therefor:

(3)

Remuneration of members

- (3) Each member of the Executive Committee other than the chairman shall, in addition to his remuneration as a member of the Metropolitan Council, receive such remuneration as may be authorized by the Metropolitan Council.

R.S.O. 1960, c. 260, s. 13, subs. 2, amended

**3.** Subsection 2 of section 13 of *The Municipality of Metropolitan Toronto Act* is amended by striking out "not exceeding \$100" in the second line, so that the subsection shall read as follows:

Remuneration of chairman of committees

- (2) The Metropolitan Council may by by-law provide for paying an annual allowance to each chairman of a standing committee, except where such chairman is the chairman of the Metropolitan Council.

R.S.O. 1960, c. 260, s. 79, re-enacted

**4.** Section 79 of *The Municipality of Metropolitan Toronto Act* is repealed and the following substituted therefor:

Certain expenditures not included in statement

79. Where a contribution has been made from any source whatsoever towards an expenditure to which section 78 applies, the amount of such contribution shall be deducted from the expenditure in the statement submitted to the Minister unless the Minister otherwise directs.

R.S.O. 1960, c. 260, s. 91, re-enacted

**5.** Section 91 of *The Municipality of Metropolitan Toronto Act* is repealed and the following substituted therefor:

Use of untravelled portions of metropolitan roads for parking

91. The Metropolitan Council may by by-law empower the council of any area municipality to lease or license the use of untravelled portions of metropolitan roads within the area municipality to the owners or occupants of adjoining property that is lawfully used for commercial or industrial purposes to be used solely for the parking of vehicles.

R.S.O. 1960, c. 260, s. 122, amended

**6.** Section 122 of *The Municipality of Metropolitan Toronto Act*, as amended by section 2 of *The Municipality of Metropolitan Toronto Amendment Act, 1960-61*, is further amended by striking out "\$80,000" in the amendment of 1960-61 and inserting in lieu thereof "\$130,000", so that the section shall read as follows:

Grants re free transportation for blind, etc.

122. The Metropolitan Council may make an annual grant of not more than \$130,000 to the Toronto Transit Commission toward the cost of providing free transportation for blind persons and war amputees.

7. Section 129 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 12 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 260, s. 129  
(1966,  
c. 96, s. 12),  
amended

- (2a) The Board of Education for the Borough of East York and The Board of Education for the Borough of York may each appoint one of its members as an alternate member of the School Board, and such alternate member may attend the meetings of the School Board and of its committees, but shall not vote or otherwise participate in the meetings of the School Board or of its committees except in the absence of the chairman of the board of education to which such member belongs or of the member appointed in place of the chairman under subsection 5.

Alternate  
members

8. Clause *f* of section 135 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 12 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is amended by adding at the end thereof "and to the chairman of the School Board an additional allowance not exceeding one-third of the allowance paid to him as a member of the School Board", so that the clause shall read as follows:

R.S.O. 1960,  
c. 260, s. 135  
(1966,  
c. 96, s. 12),  
cl. *f*,  
amended

- (*f*) if deemed expedient, to pay to each member a mileage allowance not exceeding 10 cents for each mile necessarily travelled by him in going to the meetings of the School Board from his home and in returning to his home, and to pay to each member who is a member of a board of education an allowance not exceeding \$2,400 per annum and to each member appointed by the Metropolitan Separate School Board an allowance not exceeding \$1,200 per annum, and to the chairman of the School Board an additional allowance not exceeding one-third of the allowance paid to him as a member of the School Board.

9. *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

R.S.O. 1960,  
c. 260,  
amended

135a.—(1) In this section, "sub-system" means an identifiable, pre-designed, physically integrated, co-ordinated series of parts that function as a unit of the construction of a building.

Interpre-  
tation

- (2) Where one or more boards of education within the Metropolitan Area have agreed to participate with the School Board in a unified school building construction programme, the School Board has power,

Sub-  
systems

(a)



- (a) to enter into contracts with persons for the production of sub-systems to be used in the construction of schools by such boards of education and to give commitments to such persons that the sub-systems that they contract to produce will be used in the construction of a minimum of square feet of school building construction;
- (b) to enter into contracts with persons for the performance of work or services or for the placing or furnishing of materials upon or in respect of such school building construction;
- (c) to require such boards of education to construct the school buildings necessary to fulfil commitments given by the School Board and to use in constructing such buildings the sub-systems, services and materials of the persons with whom the School Board has entered into contracts; and
- (d) to supervise and control the programming and integration of the construction of such school buildings.

R.S.O. 1960,  
c. 260, s. 148  
(1966,  
c. 96, s. 12),  
amended

**10.** Section 148 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 12 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is amended by adding thereto the following subsection:

Rights of  
wards of  
Catholic  
Children's  
Aid Society

(3) Where a child,

- (a) who is a ward in the care of The Metropolitan Toronto Catholic Children's Aid Society or whose mother is his sole support; and
- (b) who has the right to attend a secondary school in an area municipality without payment of a fee,

resides in the Metropolitan Area, he has the same right to attend a secondary school without payment of a fee as he would have if his residence was that of his parents or guardians, and, if he does so attend, he shall be deemed for all purposes to be a resident pupil of the high school district in which he resides.

R.S.O. 1960,  
c. 260,  
Part X  
(ss. 173-  
192),  
repealed

**11.** Part X of *The Municipality of Metropolitan Toronto Act*, as amended by section 12 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is repealed.

**12.** Subsection 1 of section 196 of *The Municipality of Metropolitan Toronto Act* is amended by striking out "and" at the end of clause *c* and by striking out clause *d* and substituting therefor the following clauses:

R.S.O. 1960,  
c. 260, s. 196,  
subs. 1,  
amended

(*d*) one magistrate designated by the Lieutenant Governor in Council; and

(*e*) one person, who is not qualified to be appointed or designated under clause *b*, *c* or *d*, appointed by the Lieutenant Governor in Council.

**13.** Section 197 of *The Municipality of Metropolitan Toronto Act* is amended by adding at the end thereof "who are not members of the Metropolitan Council and no remuneration shall be paid to the members who are members of the Metropolitan Council", so that the section shall read as follows:

R.S.O. 1960,  
c. 260, s. 197,  
amended

197. The Metropolitan Corporation shall provide for the payment of a reasonable remuneration, not being less than the minimum prescribed by the regulations under *The Police Act*, to the members of the Metropolitan Board who are not members of the Metropolitan Council and no remuneration shall be paid to the members who are members of the Metropolitan Council.

Remuneration

R.S.O. 1960,  
c. 298

**14.** Sections 203, 204 and 205 of *The Municipality of Metropolitan Toronto Act* are repealed and the following substituted therefor:

R.S.O. 1960,  
c. 260, s. 203,  
re-enacted;  
ss. 204,  
205,  
repealed

203. The Metropolitan Corporation shall be deemed to be a municipality for the purpose of *The Administration of Justice Act, 1968* and section 355 of *The Municipal Act*.

Metropolitan  
Corporation  
deemed  
municipality under  
1968, c. 1

R.S.O. 1960,  
c. 249

**15.** Clause *b* of subsection 1 of section 211 of *The Municipality of Metropolitan Toronto Act* is repealed.

R.S.O. 1960,  
c. 260, s. 211,  
subs. 1,  
cl. *b*,  
repealed

**16.** *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

R.S.O. 1960,  
c. 260,  
amended

215a.—(1) Notwithstanding sections 211 and 212, the Metropolitan Council may pass any by-law that the Licensing Commission may pass, including any by-law that the Metropolitan Council may authorize the Licensing Commission to pass under subsection 2 of section 211, and may repeal in whole or in part any existing by-law of the Licensing Commission.

Licensing  
by-laws  
may be  
passed by  
Council

Effect on  
power of  
Commission  
to pass  
by-laws

- (2) Where the Metropolitan Council has passed a by-law under a provision in any Act, the Licensing Commission shall not have the power to pass a by-law under such provision.

Application  
of s. 213

- (3) Section 213 applies to by-laws passed by the Metropolitan Council under this section.

Exercise of  
power by  
Council

- (4) For the purposes of section 214, a power exercised by the Metropolitan Council under this section shall be deemed to be a power exercised by the Licensing Commission.

Applica-  
tion of  
s. 215 to  
Council

- (5) Where the Metropolitan Council passes a by-law under subsection 1, the provisions of section 215 in so far as they apply to the passing and enforcement of by-laws and the fixing of fees shall apply to the Metropolitan Council and to such by-law.

Effect on  
Licensing  
Commission

- (6) Except with respect to its power to pass by-laws and fix fees nothing in this section affects the powers of the Licensing Commission.

R.S.O. 1960,  
c. 260, s. 216,  
re-enacted

**17.** Section 216 of *The Municipality of Metropolitan Toronto Act* is repealed and the following substituted therefor:

Remunera-  
tion of  
members

216. The Metropolitan Corporation shall pay to the members of the Licensing Commission, except the chairman of the Metropolitan Council or his delegate, such remuneration for their services as may be determined by the Metropolitan Council.

R.S.O. 1960,  
c. 260,  
amended

**18.** *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

Grants for  
homes for  
elderly  
persons

- 218a. The Metropolitan Council may make grants in aid of the establishment, construction, extension or equipment of homes for the care of elderly persons.

R.S.O. 1960,  
c. 260,  
amended

**19.** *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

Acquisition  
of O'Keefe  
Centre

- 225b.—(1) The Metropolitan Corporation may acquire the theatre in the City of Toronto known as the O'Keefe Centre and the land used in conjunction therewith, and for such purpose may enter into an agreement providing for payment of purchase moneys over a period of years without the approval of the Municipal Board and for the occupation by the Metropolitan Corporation of such land and building during such period.

- (2) There is hereby established a corporation under the name of "The Board of Management of the O'Keefe Centre", in this section referred to as the Board of Management, and such Board shall have a corporate seal, may sue and be sued in its own name, may enter into contracts, including contracts of employment, and shall have all powers necessary for the operation, management and maintenance of such Centre as a theatre and auditorium and as a centre for the holding of meetings, receptions and displays of every kind. Board established
- (3) The Metropolitan Council may by by-law establish general policies to be followed by the Board of Management in the operation and management of the Centre. Policies
- (4) The Board of Management shall be composed of not less than three and not more than seven persons, who are not members of the Metropolitan Council or of the council of an area municipality, and shall be appointed by the Metropolitan Council by resolution for such terms of office as the Council may determine. Composition
- (5) The Board of Management, from among its members, shall elect a chairman and may elect a vice-chairman, and a majority of its members constitute a quorum. Chairman, quorum
- (6) The Board of Management shall be deemed not to be a local board of the Metropolitan Corporation. Board of Management not deemed local board
- (7) The accounts and transactions of the Board of Management shall be audited by the auditor for the Metropolitan Corporation. Audit
- (8) The Board of Management may provide pensions for its employees or any class thereof and their wives and children, and may enter into agreements with any person for such purpose. Pensions
- (9) The Metropolitan Corporation is entitled to any surplus resulting from the operations of the Board of Management and is responsible for any deficit incurred by it, but the Board of Management shall not borrow money without the approval of the Metropolitan Council. Responsibility of Metropolitan Corporation
- (10) Notwithstanding section 265, paragraph 9 of section 4 of *The Assessment Act* does not apply to land acquired by the Metropolitan Corporation pursuant to powers conferred on it by this section. Taxation  
R.S.O. 1960, c. 23



R.S.O. 1960, c. 260, s. 238, subs. 38 (1961-62, c. 88, s. 15, subs. 1), amended **20.**—(1) Subsection 38 of section 238 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by subsection 1 of section 15 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is amended by inserting after “Metropolitan” in the thirteenth line “Toronto”.

R.S.O. 1960, c. 260, s. 238, subs. 40 (1961-62, c. 88, s. 15, subs. 2), amended (2) Subsection 40 of the said section 238, as re-enacted by subsection 2 of section 15 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is amended by inserting after “Metropolitan” in the twenty-fourth and twenty-fifth lines and in the twenty-fifth and twenty-sixth lines “Toronto”.

R.S.O. 1960, c. 260, s. 255, subs. 1, re-enacted **21.**—(1) Subsection 1 of section 255 of *The Municipality of Metropolitan Toronto Act*, as amended by subsection 1 of section 17 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62* and subsection 1 of section 36 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is repealed and the following substituted therefor:

Application of R.S.O. 1960, c. 249 (1) Section 5, Parts XV, XVI, XVII and XXI, section 248b and paragraphs 3, 22, 27 and 40 of section 377 of *The Municipal Act* apply *mutatis mutandis* to the Metropolitan Corporation.

R.S.O. 1960, c. 260, s. 255, subs. 4, 6, repealed (2) Subsections 4 and 6 of the said section 255 are repealed.

R.S.O. 1960, c. 260, s. 256, re-enacted **22.** Section 256 of *The Municipality of Metropolitan Toronto Act* is repealed and the following substituted therefor:

Expenses for diffusing information

256. The Metropolitan Council may, by a vote of three-fourths of the members of the Council present and voting, expend in any year such sum as it may determine for the purpose of diffusing information respecting the advantages of the municipality as an industrial, business, educational, residential or vacation centre and may make annual grants for a period not exceeding five years, and upon the expiration of any such period may make similar grants for a further period not exceeding five years.

Commencement

**23.**—(1) This Act, except sections 11, 12 and 14, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 11 and 14 shall be deemed to have come into force on the 1st day of January, 1968.

Idem

(3) Section 12 comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**24.** This Act may be cited as *The Municipality of Metropolitan Toronto Amendment Act, 1968*.



## CHAPTER 81

# An Act to amend The Ontario Development Corporation Act, 1966

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Ontario Development Corporation Act*, 1966, is amended by adding thereto the following clause: 1966, c. 100, s. 1, amended

(ba) "industry" includes any trade or other business undertaking of any kind, and "industrial" has a corresponding meaning.

**2.** Section 7 of *The Ontario Development Corporation Act*, 1966, is amended by striking out "and" at the end of clause a 1966, c. 100, s. 7, amended and by adding thereto the following clause:

(aa) the provision of sites, equipment, premises, facilities and services; and

. . . . .

**3.** Section 8 of *The Ontario Development Corporation Act*, 1966, is repealed and the following substituted therefor: 1966, c. 100, s. 8, re-enacted

8.—(1) Notwithstanding any other Act, the Corporation Powers for the objects set out in section 7 possesses power to,

(a) lend money to a person carrying on any industrial undertaking in Ontario where in the opinion of the Board the funds in the circumstances are not available elsewhere on reasonable terms;

(b) guarantee the payment of any loan, or any part thereof, and all or any part of the interest thereon, made by a lender to a person carrying on any industrial undertaking in

Ontario where in the opinion of the Board the funds in the circumstances are not available elsewhere on reasonable terms;

1968, c. 30

- (c) lend money to a person establishing or substantially expanding any industrial undertaking in an area of equalization of industrial opportunity approved under section 5 of *The Department of Trade and Development Act, 1968*, and forgive repayment of the loan in whole or in part;
- (d) take security by way of mortgage, charge, hypothecation or assignment of or on any real or personal property or otherwise;
- (e) buy, hold, own, hire, maintain, control, take, lease, sell, assign, exchange, transfer, manage, improve, develop or otherwise deal in and dispose of, either absolutely or by way of security or otherwise, any property real and personal, movable and immovable, and assets generally;
- (f) buy, acquire, accept, and hold, exchange, transfer, assign, sell, dispose of or deal in, either absolutely or by way of security or otherwise, all kinds of bills, notes, negotiable instruments, commercial paper, conditional sale agreements, lien notes, hire purchase agreements, chattel mortgages, bills of lading, bills of sale, warehouse receipts, guarantees, choses in action or instruments of assignment, conveyance, mortgage, pledge, charge or hypothecation, and shares, stocks, bonds, debentures, debenture stocks, securities, obligations, agreements and evidences of debt;
- (g) do all things that a corporation with share capital may do by virtue of clauses *a, b, c, d, e, f, h, i, j, l, n* and *o* of subsection 1 of section 22 of *The Corporations Act* and all such other things as are incidental or conducive to the attainment of the objects of the Corporation.

R.S.O. 1960,  
c. 71

Approval of  
Lieutenant  
Governor  
in Council  
required

- (2) The powers conferred by clauses *a, b* and *c* of subsection 1 shall only be exercised with the approval of the Lieutenant Governor in Council.

(3) Where the approval of an area of equalization of industrial opportunity is rescinded, the Corporation may proceed to exercise its power under clause *c* of subsection 1 in respect of any person whose application has been accepted before the rescission. Application of rescission

(4) No loan made under clause *c* of subsection 1 shall, Maximum for loans

(a) exceed one-third of the first \$250,000 of the cost of the undertaking and one-quarter of the balance of the cost thereof, or \$500,000, whichever is the lesser;

(b) be wholly forgiven in less than five years from the date upon which moneys are first advanced.

(5) Every guarantee executed under the seal of the Corporation and signed by the Treasurer of Ontario and given or purporting to be given under the authority of this section is binding upon Ontario and is not open to question upon any ground whatsoever. Validity of guarantee

4. *The Ontario Development Corporation Act, 1966* is 1966, c. 100, amended amended by adding thereto the following section:

18a. The moneys required for the purposes of clauses *b* Forgivable loans and guarantees and *c* of subsection 1 of section 8 shall be paid out of moneys appropriated therefor by the Legislature. Provincial expenses

5. Where, after the 1st day of December, 1967 and before this Act and *The Department of Trade and Development Act, 1968* receive Royal Assent, the Corporation has made a loan to an industrial undertaking in an area subsequently approved as an area of equalization of industrial opportunity, the Corporation may, with the approval of the Lieutenant Governor in Council, vary the terms and conditions of the loan to provide for forgiveness of repayment in whole or in part, and the moneys required for the purposes shall be paid out of the moneys appropriated therefor by the Legislature. Existing loans 1968, c. 30

6.—(1) This Act, except sections 1 and 2, comes into force on the day it receives Royal Assent. Commencement

(2) Sections 1 and 2 shall be deemed to have come into force on the 1st day of June, 1967. Idem

7. This Act may be cited as *The Ontario Development Corporation Amendment Act, 1968*. Short title



## CHAPTER 82

## An Act to establish the Ontario Economic Council

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

(a) "Council" means the Ontario Economic Council;

(b) "Minister" means the member of the Executive Council designated by the Lieutenant Governor in Council to administer this Act.

**2.—**(1) The Ontario Economic Council is established, consisting of not more than twenty-one members appointed by the Lieutenant Governor in Council, of whom one shall be designated as chairman.

Establish-  
ment

(2) The Council may contract and may sue and be sued in its own name, and the members thereof are not personally liable upon any contract made by the Council.

Power to  
contract  
and sue

**3.—**(1) The chairman of the Council shall be appointed to hold office for a term of not more than five years.

Appoint-  
ment,  
chairman

(2) Each of the members of the Council shall be appointed to hold office for a term of not more than three years, except that of those first appointed not less than one-third shall be appointed for a term of one year and not less than one-third shall be appointed for a term of three years.

members

(3) A retiring chairman or other member of the Council is eligible for re-appointment to the Council in the same or another capacity.

Re-appoint-  
ments

**4.** It is the duty of the Council to advise and make recommendations to the Executive Council or any member thereof on methods for,

Duties of  
Council

(a)



- (a) encouraging the maximum development of the human and material resources of Ontario;
- (b) supporting the advancement of all sectors of Ontario; and
- (c) fostering conditions for the realization of higher standards of living for the people of Ontario.

Further  
duties of  
Council

**5.** The Council may,

- (a) conduct socio-economic studies in any area considered by the Council to be of concern;
- (b) cause to be published such studies and reports as are prepared by or for the Council;
- (c) co-operate and maintain liaison with the Economic Council of Canada and bodies in other jurisdictions corresponding to the Council;
- (d) create an awareness and public understanding of provincial socio-economic issues by holding seminars and conferences;
- (e) create such committees as it considers desirable for the carrying out of its objectives; and
- (f) undertake such other duties as are assigned by the Lieutenant Governor in Council.

Salaries:  
chairman

**6.—(1)** The chairman of the Council shall receive such remuneration as the Lieutenant Governor in Council determines.

deputy  
chairman

(2) The Minister may designate a member of the Council to be the deputy chairman who shall act in the absence of the chairman and may be paid such *per diem* allowance as the Lieutenant Governor in Council determines.

members

(3) Members of the Council, other than the chairman and deputy chairman, shall serve without remuneration but all members shall receive their reasonable travelling and living expenses while absent from their ordinary place of residence in the course of their duties under this Act.

Remunera-  
tion for  
additional  
duties

(4) Notwithstanding subsection 3, a member of the Council, other than the chairman and deputy chairman, may for any period during which he performs, with the approval of the Council, any duties on behalf of the Council in addition to

his

his ordinary duties as a member thereof, be paid such remuneration therefor as the Lieutenant Governor in Council determines.

(5) Such officers and employees as are necessary for the <sup>Staff</sup> proper conduct of the work of the Council may be appointed under *The Public Service Act, 1961-62*. <sup>1961-62, c. 121</sup>

**7.**—(1) The Council shall meet at least five times a year <sup>Meetings</sup> at the discretion of the chairman.

(2) A majority of the members constitutes a quorum of <sup>Quorum</sup> the Council.

**8.** The expenses of the Council in carrying out its objectives <sup>Expenses of Council</sup> shall be paid out of the moneys appropriated therefor by the Legislature.

**9.** This Act comes into force on the day it receives Royal <sup>Commence-ment</sup> Assent.

**10.** This Act may be cited as *The Ontario Economic* <sup>Short title</sup> *Council Act, 1968*.



## CHAPTER 83

**An Act to provide for the  
Establishment and Functions of  
The Ontario Geographic Names Board**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

(a) "Board" means The Ontario Geographic Names Board;

(b) "Minister" means the Minister of Lands and Forests.

**2.—**(1) There is hereby established a board to be known <sup>Board</sup> as The Ontario Geographic Names Board. <sup>established</sup>

(2) The Board shall be composed of the Surveyor General, <sup>Membership</sup> a secretary appointed by the Minister and five other members <sup>of the</sup> Board appointed by the Lieutenant Governor in Council.

(3) The Minister may appoint one of the members of the <sup>Chairman</sup> Board as chairman and one as vice-chairman.

(4) The members of the Board shall receive such remunera- <sup>Remunera-</sup> tion and expenses as the Lieutenant Governor in Council <sup>tion, etc.</sup> determines.

**3.—**(1) The Board shall meet at such times and places as <sup>Meetings</sup> the chairman appoints and the chairman shall appoint a time and place for a meeting on the request of three members.

(2) Four members constitute a quorum at any meeting of <sup>Quorum</sup> the Board.

(3) Except as provided in subsections 4 and 5, the chairman <sup>Duty of</sup> shall preside at all meetings of the Board. <sup>chairman</sup>

(4)

Duty of  
vice-  
chairman

(4) In the absence of the chairman and subject to subsection 5, the vice-chairman shall preside at meetings of the Board.

Temporary  
chairman

(5) In the absence of the chairman and the vice-chairman from a meeting, the Board may appoint a member as temporary chairman to preside at the meeting.

Duties of  
secretary

(6) The secretary shall,

- (a) keep a record of all proceedings of the Board;
- (b) conduct the correspondence of the Board; and
- (c) perform such other duties as the Board may direct.

Temporary  
secretary

(7) In the absence of the secretary, the Board may appoint a member to act *pro tempore* as secretary.

Powers of  
Board

(8) The Board shall,

- (a) gather, collate and record information respecting names of places and geographical features within the province of Ontario;
- (b) consult with and advise government departments and agencies, municipalities, railway companies and other bodies or persons concerned with the selection of place names on the suitability of proposed names for places and geographical features;
- (c) consider and make recommendations respecting any proposed change in the name of any place or geographical feature already in use that may be duplicated by or be similar to any established name of a place or geographical feature or that for any other reason may be deemed or be represented to be inappropriate to the place or geographical feature to which it is applied;
- (d) collaborate with the Canadian Permanent Committee on Geographical Names respecting the selection of new geographical names, the elimination of alternative or duplicated names, the correct or preferred spelling of established names and such other matters respecting geographical names as may be of concern to the Board or the Committee;
- (e) supply information regarding geographical names to government departments and agencies, cartographers, publishers, and any other persons engaged in the preparation of maps or other publications intended for official or public use; and

(f)



(f) recommend to the Minister for approval the names of geographical features.

4.—(1) The Minister may approve a name recommended by the Board for a geographical feature. Official names

(2) A name approved under subsection 1 shall be used by all government departments and agencies in the preparation of maps and other publications. Approved names to be used on maps, etc.

5. No statute, regulation, order, contract, summons, information, writ or other document affecting legal rights shall be deemed to be invalid merely by reason of the use of a name of a geographical feature that has not been approved by the Minister under section 4. Statutes, etc., not affected

6. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commencement

7. This Act may be cited as *The Ontario Geographic Names Board Act, 1968*. Short title



## CHAPTER 84

**An Act to amend  
The Ontario Housing Corporation Act, 1964**

*Assented to March 28th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 8 of *The Ontario Housing Corporation Act, 1964* is amended by adding "and" at the end of clause *b* and by adding thereto the following clause: 1964, c. 76,  
s. 8, subs. 1,  
amended

(c) by charge or mortgage of all or any of the real property of the Corporation.

**2.—(1)** Subsection 1 of section 9 of *The Ontario Housing Corporation Act, 1964* is repealed and the following substituted therefor: 1964, c. 76,  
s. 9, subs. 1,  
re-enacted

(1) The Lieutenant Governor in Council may authorize the Treasurer of Ontario to guarantee payment by the Province of any debentures, bills, notes, charges or mortgages issued or made by or of any temporary loan made to the Corporation under the authority of this Act. Guarantee  
of payment  
by Province

**(2)** Subsection 4 of the said section 9 is repealed and the following substituted therefor: 1964, c. 76,  
s. 9, subs. 4,  
re-enacted

(4) Any debenture, bill, note, charge or mortgage issued or made by or temporary loan made to the Corporation, payment whereof is guaranteed by the Province under this section, is valid and binding upon the Corporation, its successors and assigns, according to its terms, and the validity of any debenture, bill, note, charge, mortgage or temporary loan so guaranteed is not open to question on any ground whatsoever. Guarantee  
debentures,  
etc., to be  
indefeasible

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Ontario Housing Corporation Amendment Act, 1968*.

## CHAPTER 85

**An Act to amend  
The Ontario Human Rights Code, 1961-62**

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 5 of *The Ontario Human Rights Code, 1961-62* is <sup>1961-62,  
c. 93, s. 5,  
repealed</sup> repealed.
2. This Act comes into force on a day to be named by <sup>Commence-  
ment</sup> the Lieutenant Governor by his proclamation.
3. This Act may be cited as *The Ontario Human Rights* <sup>Short title</sup> *Code Amendment Act, 1968*.





## CHAPTER 86

**The Ontario Labour-Management  
Arbitration Commission Act, 1968**

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "Commission" means The Ontario Labour-Management Arbitration Commission;
- (b) "Minister" means the Minister of Labour;
- (c) "regulations" means the regulations made under this Act.

**2.**—(1) There is hereby established a commission to be known as The Ontario Labour-Management Arbitration Commission. Commission established

(2) The Commission shall consist of seven members appointed by the Lieutenant Governor in Council, of whom one shall be designated as chairman to hold office during the pleasure of the Lieutenant Governor in Council. Composition

(3) Three members of the Commission shall be representatives of employers and three members shall be representatives of employees. Idem

(4) The representatives of employers and employees on the Commission shall be appointed for terms of one, two or three years and are eligible for re-appointment. Term of office

(5) Vacancies in the membership of the Commission caused by death, resignation or otherwise may be filled by the Lieutenant Governor in Council. Vacancies

(6) The members of the Commission shall receive such remuneration and expenses as the Lieutenant Governor in Council determines. Remuneration

## Staff

(7) The Commission may appoint such officers and clerks as are necessary for the proper conduct of its work and, subject to the approval of the Lieutenant Governor in Council, may fix their salaries.

## Approval

**3.**—(1) The Commission may issue its approval to any person whom it deems suitable to act as an arbitrator.

Register of  
approved  
persons

(2) The Commission shall cause to be entered in a register maintained for the purpose the name of every person to whom its approval is issued under subsection 1.

## Refusal, etc.

(3) The Commission may, after a hearing which may be either public or *in camera* as it deems proper, refuse to issue its approval or may suspend or revoke its approval.

## Record

(4) There shall be a verbatim record of every such hearing.

## Appeal

(5) Where the Commission refuses to issue its approval to any person or suspends or revokes its approval of any person, he may, within fifteen days after receipt of the decision of the Commission, appeal to a county or district judge of the county or district court of the county or district in which he resides and if the judge finds, upon the record or other evidence admitted by his leave, that there has been a denial of natural justice occasioned by the action of the Commission he may make such order as he deems proper, and thereupon the Commission shall act accordingly.

Full-time  
arbitrators

**4.**—(1) The Commission may employ on a full-time basis such persons as it deems necessary to act as arbitrators and may fix their salaries.

Part-time  
arbitrators

(2) In order to ensure adequate levels of remuneration for arbitrators who act part-time, the Commission may schedule assignments and adopt such other methods and procedures as it deems proper.

Duties and  
functions of  
Commission

**5.** The duties and functions of the Commission are to,

(a) maintain for the use of parties to an arbitration a register of approved arbitrators;

(b) assist arbitrators by making the administrative arrangements required for the conduct of arbitrations;

(c) sponsor training programmes for arbitrators;

(d)

- (d) sponsor the publication and distribution of information in respect of arbitration processes and awards; and
- (e) sponsor research in respect of arbitration processes and awards.

**6.**—(1) The Commission may collect such fees for services<sup>Fees</sup> provided to employers and employees as are fixed by the regulations.

(2) Fees collected by the Commission shall be expended to<sup>Expenditure of fees</sup> defray its expenses in carrying out its duties and functions.

**7.**—(1) The Commission shall report annually to the<sup>Annual report</sup> Minister upon the affairs of the Commission.

(2) The Minister shall submit the annual report to the<sup>Tabling of report</sup> Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

**8.** The moneys required for the purposes of this Act shall,<sup>Moneys</sup> until the 31st day of March, 1969, be paid out of the Consolidated Revenue Fund and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

**9.** Subject to the approval of the Lieutenant Governor in<sup>Regulations</sup> Council, the Commission may make regulations,

- (a) governing the assignment of arbitrators to conduct arbitrations and the carrying out and completion of such assignments;
- (b) providing for and fixing the remuneration and expenses payable in respect of arbitrations carried out by arbitrators registered with the Commission and providing for the payment of such fees and expenses by the parties to the arbitration;
- (c) providing for and fixing fees for services provided to employers and employees by the Commission;
- (d) governing the conduct of hearings and prescribing procedures therefor;
- (e) prescribing forms and providing for their use;
- (f) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Commence-  
ment

**10.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**11.** This Act may be cited as *The Ontario Labour-Management Arbitration Commission Act, 1968*.



## CHAPTER 87

**An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund**

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The Lieutenant Governor in Council is hereby <sup>Loans up to \$400,000,000</sup> authorized to raise from time to time by way of loan such sum or sums of money as are deemed expedient for any or all of the following purposes: for the public service, for works carried on by commissioners on behalf of Ontario, for discharging any indebtedness or obligation of Ontario or for reimbursing the Consolidated Revenue Fund for any moneys expended in discharging any indebtedness or obligation of Ontario, for making any payments authorized or required by any Act to be made out of the Consolidated Revenue Fund or for reimbursing the Consolidated Revenue Fund for any payments so authorized or required, and for the carrying on of the public works authorized by the Legislature; provided that the principal amount of any securities issued and sold for the purpose of raising any sum or sums of money by way of loan authorized by this Act together with the amount of any temporary loans raised under this Act, to the extent that such temporary loans are from time to time outstanding or have been paid from the proceeds or securities issued and sold under the authority of *The Financial Administration Act* for <sup>R.S.O. 1960, c. 142</sup> the purpose of such payment, shall not exceed in the aggregate \$400,000,000.

(2) The sum or sums of money authorized to be raised <sup>Idem</sup> by subsection 1 for the purposes mentioned therein shall be in addition to all sums of money authorized to be raised by way of loan under any other Act.

2. Any such sum or sums may be raised in any manner <sup>Idem</sup> provided by *The Financial Administration Act* and shall be raised upon the credit of the Consolidated Revenue Fund and shall be chargeable thereupon.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Ontario Loan Act, 1968*.

## CHAPTER 88

# An Act to amend The Ontario Municipal Employees Retirement System Act, 1961-62

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsections 1 and 2 of section 7 of *The Ontario Municipal Employees Retirement System Act, 1961-62* are repealed and the following substituted therefor: 1961-62, c. 97, s. 7, subss. 1, 2, re-enacted

- (1) In each year the Treasurer of Ontario shall issue Issue of Ontario debentures Province of Ontario debentures to become due and payable on the 31st day of December, 1973 for the amount of money accumulated to the credit of the Fund from time to time and not required for current expenditures, and,
  - (a) such debentures issued during the period commencing on the 18th day of April, 1962, and ending on the 31st day of December, 1967, shall bear interest at the rate of 5 per cent per annum payable half-yearly; and
  - (b) such debentures issued during the period commencing on the first day of January, 1968, and ending on the 31st day of December, 1973, shall bear interest at the rate of 6½ per cent per annum payable half-yearly.
- (2) On the 31st day of December, 1973, the Treasurer 1973 issue of 40-year debentures authorized of Ontario shall issue Province of Ontario debentures to become due and payable on the 31st day of December, 2013, for the amount of the debentures issued under subsection 1, and,
  - (a) such debentures issued for the amount of the debentures issued under subsection 1 which bore interest at the rate stipulated in clause a

of subsection 1 shall bear interest at the rate of 5 per cent per annum payable half-yearly; and

- (b) such debentures issued for the amount of the debentures issued under subsection 1 which bore interest at the rate stipulated in clause *b* of subsection 1 shall bear interest at the rate of  $6\frac{1}{2}$  per cent per annum payable half-yearly.

Commence-  
ment

**2.** This Act comes into force on the day it receives Royal Assent.

Short title

**3.** This Act may be cited as *The Ontario Municipal Employees Retirement System Amendment Act, 1968*.

## CHAPTER 89

**An Act to amend The Ontario Producers,  
Processors, Distributors and Consumers  
Food Council Act, 1962-63**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 3 of section 2 of *The Ontario Producers, Processors, Distributors and Consumers Food Council Act, 1962-63* is repealed and the following substituted therefor: <sup>c. 94, s. 2, subs. 3, re-enacted</sup>

(3) A quorum of the Food Council shall consist of three <sup>Quorum</sup> members of whom one shall be the chairman or vice-chairman.

**2.** This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent. <sup>ment</sup>

**3.** This Act may be cited as *The Ontario Producers, Pro-* <sup>Short title</sup> *cessors, Distributors and Consumers Food Council Amendment Act, 1968.*





## CHAPTER 90

**An Act to amend  
The Ontario School Trustees' Council Act**

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 1 of section 3 of *The Ontario School Trustees' Council Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 278, s. 3,  
subs. 1,  
re-enacted

(1) The Council shall be composed of representatives appointed by the following member associations, or any combination thereof, as provided by the regulations made under this Act: Composition  
of Council

1. The Associated High School Boards of the Province of Ontario.
2. L'Association des Commissaires des Écoles Bilingues d'Ontario.
3. The Ontario School Trustees' and Rate-payers' Association.
4. Ontario Separate School Trustees' Association.
5. The Public School Trustees' Association of Ontario.
6. Ontario Urban and Rural School Trustees' Association.
7. Northern Ontario Public and Secondary School Trustees' Association.

(2) Subsection 7 of the said section 3 is repealed and the following substituted therefor: R.S.O. 1960  
c. 278, s. 3,  
subs. 7,  
re-enacted

Additional  
represent-  
atives

- (7) When a representative from a member association is vice-chairman, chairman or past chairman of the Council in any year, such association may appoint an additional representative to the Council for that year and shall designate the representatives, in accordance with the regulations, who shall have the right to vote at meetings of the Council when all the representatives of the association are present.

R.S.O. 1960,  
c. 278,  
amended

- 2.** *The Ontario School Trustees' Council Act* is amended by adding thereto the following section:

Regulations

12. The Lieutenant Governor in Council may make regulations respecting the number of representatives to be appointed to the Council by the associations or any combination thereof which comprise the Council.

Commence-  
ment

- 3.** This Act comes into force on the 1st day of January, 1969.

Short title

- 4.** This Act may be cited as *The Ontario School Trustees' Council Amendment Act, 1968*.

## CHAPTER 91

# An Act to amend The Ontario Universities Capital Aid Corporation Act, 1964

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *a* of section 1 of *The Ontario Universities Capital Aid Corporation Act, 1964*, as enacted by section 1 of *The Ontario Universities Capital Aid Corporation Amendment Act, 1967*, is amended by adding at the end thereof "and includes Ryerson Polytechnical Institute established under *The Ryerson Polytechnical Institute Act, 1962-63*", so that the clause shall read as follows:

(a) "college" means a college of applied arts and technology established under section 14a of *The Department of Education Act*, and includes Ryerson Polytechnical Institute established under *The Ryerson Polytechnical Institute Act, 1962-63*.

**2.** This Act shall be deemed to have come into force on the 1st day of April, 1968.

**3.** This Act may be cited as *The Ontario Universities Capital Aid Corporation Amendment Act, 1968*.





## CHAPTER 92

**An Act to amend  
The Partnerships Registration Act**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** Subsection 2 of section 12 of *The Partnerships Registration Act*, as re-enacted by section 2 of *The Partnerships Registration Amendment Act, 1965*, is repealed. R.S.O. 1960,  
c. 289, s. 12  
(1965, c. 95,  
s. 2), subs. 2,  
repealed
- 2.** This Act shall be deemed to have come into force on the 1st day of January, 1968. Commence-  
ment
- 3.** This Act may be cited as *The Partnerships Registration Amendment Act, 1968*. Short title



## CHAPTER 93

**An Act to amend  
The Pension Benefits Act, 1965**

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 7 of section 21 of *The Pension Benefits Act*, 1965, c. 96, s. 21, subs. 7, re-enacted 1965 is repealed and the following substituted therefor:

- (7) Notwithstanding any provision of a pension plan, <sup>winding-up of plan</sup> upon termination or winding-up of the pension plan all contributions made after the qualification date in respect of the deferred life annuity prescribed in subsection 1 to which any person is entitled shall be applied, subject to subsection 7b and to the extent not already applied, towards the provision of the pension benefits prescribed in subsection 1.
- (7a) For the purpose of determining the pension benefits <sup>Determina-  
tion of  
benefits on  
winding-up  
of plan</sup> to which a person may be entitled under subsection 1 at the date of termination or winding-up of the pension plan,
- (a) each employee shall be deemed to have terminated his employment prior to attaining retirement age on the date of the termination or winding-up of the plan; and
- (b) each former employee who retired on pension from the service of the employer shall be deemed to have terminated his employment prior to attaining retirement age but on the date of his retirement.
- (7b) Notwithstanding subsections 1 and 2 and notwith- <sup>Reduction  
of additional  
benefits</sup> standing any provision of a pension plan, upon the termination or winding-up of a pension plan where,

(a)

- (a) the benefits arising from the deferred life annuities prescribed in subsection 1 include additional pension benefits provided by an amendment to the terms of the plan made after the qualification date or by the creation of a plan after the qualification date, in respect of service prior to such amendment or creation; and
- (b) the funding of such additional pension benefits, as required by the regulations, has not been completed,

the amount of such additional pension benefits may be reduced in accordance with the regulations.

1965, c. 96,  
amended

**2.** *The Pension Benefits Act, 1965* is amended by adding thereto the following section:

Declaration  
of Commis-  
sion that  
a plan is  
wound-up

22c.—(1) The Commission, when it is of the opinion that an employer has discontinued or is in the process of discontinuing a part or all of his business operations in which a substantial number of his employees who are members of a pension plan are employed, may declare the pension plan wound-up in whole or in part for the purposes of this Act on such date as the Commission in its discretion deems such business operations are discontinued.

Notification

(2) The Commission shall notify the employer by registered mail that the pension plan is wound-up in whole or in part under subsection 1.

Notice of  
objection

(3) Where the employer objects to the declaration made by the Commission under subsection 1, he may within sixty days from the day of mailing of the notification of the Commission under subsection 2, serve on the Commission a notice of objection in duplicate in the prescribed form setting out the reasons for the objection and all relevant facts.

1965,  
c. 96, s. 23,  
subs. 2,  
amended

**3.** Subsection 2 of section 23 of *The Pension Benefits Act, 1965* is amended by inserting after "under" in the first line "section 22c or", so that the subsection shall read as follows:

Service

(2) A notice of objection under section 22c or this section shall be served by being sent by registered mail addressed to the Commission at Toronto.

1965,  
c. 96, s. 24,  
subs. 1,  
re-enacted

**4.**—(1) Subsection 1 of section 24 of *The Pension Benefits Act, 1965* is repealed and the following substituted therefor:

- (1) Where an employer has served a notice of objection under section 22c or 23, he may appeal to the Court of Appeal<sup>Appeal to Court of Appeal</sup> of Appeal,

(a) within ninety days after the Commission has confirmed its opinion; or

(b) after ninety days and before 180 days have elapsed after service of the notice of objection and the Commission has not notified the employer that it has confirmed or varied its opinion.

(2) Subsection 7 of the said section 24 is amended by inserting after "registration" in the second line and in the fourth line "or re-instatement", so that the subsection shall read as follows:<sup>1965, c. 96, s. 24, subs. 7, amended</sup>

- (7) Where the Court allows an appeal under this section, the Commission shall accept the pension plan for registration or re-instatement in accordance with the direction of the Court, which may include conditions precedent to qualification for registration or re-instatement of the plan imposed upon the appellant.<sup>Executing decision of Court</sup>

**5.** Section 25 of *The Pension Benefits Act, 1965* is amended by adding thereto the following clause:<sup>1965, c. 96, s. 25, amended</sup>

(ga) specifying service that shall be deemed not to be service in a designated province.

**6.** This Act comes into force on the day it receives Royal Assent.<sup>Commencement</sup>

**7.** This Act may be cited as *The Pension Benefits Amendment Act, 1968*.<sup>Short title</sup>





## CHAPTER 94

## An Act to amend The Perpetuities Act, 1966

*Assented to March 28th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 6 of *The Perpetuities Act, 1966* <sup>1966, c. 113, s. 6, subs. 1,</sup> is amended by striking out "subsection 2" in the second line <sup>amended</sup> and inserting in lieu thereof "subsections 2 and 3", so that the subsection shall read as follows:

- (1) Except as provided in section 9, subsection 3 of section 13 and subsections 2 and 3 of section 15, the perpetuity period shall be measured in the same way as if this Act had not been passed, but, in measuring that period by including a life in being when the interest was created, no life shall be included other than that of any person whose life, at the time the interest was created, limits or is a relevant factor that limits in some way the period within which the conditions for vesting of the interest may occur. <sup>Measure-ment of perpetuity period</sup>

2. This Act may be cited as *The Perpetuities Amendment Act, 1968*. <sup>Short title</sup>



## CHAPTER 95

## An Act to amend The Pharmacy Act

*Assented to June 13th, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *k* of section 2 of *The Pharmacy Act* is <sup>R.S.O. 1960,</sup> amended by inserting after “in” in the third line “Part I of”, <sup>c. 295, s. 2,</sup> so that the clause shall read as follows: <sup>cl. *k*,  
amended</sup>

- (*k*) prevents a person from selling or affects or interferes with the sale by any person of any article or substance referred to in Part I of Schedule B.

(2) The said section 2 is amended by adding thereto the <sup>R.S.O. 1960,</sup> following clause: <sup>c. 295, s. 2,  
amended</sup>

- (*l*) prevents a person from selling or affects or interferes with the sale by any person of any article or substance referred to in Parts II, III and IV of Schedule B, except that,

- (i) where the article or substance is sold at retail it shall be labelled as prescribed by the regulations respecting such article or substance, and

- (ii) where the article or substance is sold at retail for the prevention or treatment of any ailment, disease or physical disorder by any person other than a pharmaceutical chemist, it shall be sold in the container in which it was purchased by the person who so sells it at retail.

**2.** Clause *c* of section 52 of *The Pharmacy Act* is amended <sup>R.S.O. 1960,</sup> by striking out “therefor” in the third line and inserting in <sup>c. 295, s. 52,</sup> lieu thereof “of containers used for containing any poison <sup>cl. *c*,  
amended</sup> or drug”, so that the clause shall read as follows:

- (c) prescribing the types of containers to be used for containing any poison or drug and the designs, specifications and labelling of containers used for containing any poison or drug.

R.S.O. 1960,  
c. 295,  
Sched. B,  
re-enacted

3. Schedule B to *The Pharmacy Act* is repealed and the following substituted therefor:

## SCHEDULE B

### PART I

Alum	Epsom Salts
Aromatic Cascara	Glycerin
Arrowroot	Linseed
Bicarbonate of Soda	Mineral or Paraffin Oil
Borax	Olive Oil
Carbonate of Soda	Petroleum Jelly
Castor Oil	Saccharine Tablets
Cod Liver Oil	Sodium Chloride
	Turpentine

### PART II

Ammonium Chloride	Magnesium Carbonate
Beef, Iron & Wine	Magnesium Citrate
Carbonate of Magnesia	Magnesium Hydroxide
Cochineal	Oil of Eucalyptus
Cream of Tartar (Potassium acid tartrate)	Phosphate of Soda
Disodium-dibrom-oxymercuri-fluorescin, whether described as "Mercurochrome" or any other trade name, mark or designation (not more than 2%)	Potassium Nitrate (Salt Petre)
Essence of Peppermint	Rhubarb Root
Glauber Salt (Sodium Sulphate)	Rochelle Salts
Hydrogen Peroxide (not more than 3%)	Seidlitz Powders
	Senna
	Spirit of Aromatic Ammonia
	Spirit of Nitrous Ether
	Sulphur

### PART III

Acetylsalicylic Acid (whether described as aspirin, acetophen, or any other trade name, mark or designation)	Copper Sulphate (Bluestone) when sold as Bluestone
Acid Muriatic, Commercial	Cresol (Cresylic Acid) or its preparations, and the homologues of Cresol or their preparations when weaker than 5% Cresol
Acid Sulphuric, Commercial	Ferrous Sulphate (Copperas) when sold as Copperas
Boracic Acid	Iodine, tincture or solution (not more than 2½%)
Calamine Lotion	Nitrobenzol when in (commercial) preparations
Camphor Gum	Solution of Ammonia
Camphorated Chalk	Spirit of Camphor
Camphorated Oil	
Chloride of Lime	
Chlorinated Lime	

### PART IV

Acetone	Ether, Commercial
Benzol and chlorinated derivatives	Formaldehyde
Carbon Tetrachloride	Tetrachlorethylene
	Trichlorethylene



4. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. <sup>Commence-</sup>  
<sup>ment</sup>

5. This Act may be cited as *The Pharmacy Amendment* <sup>Short title</sup>  
*Act, 1968.*



## CHAPTER 96

## An Act to amend The Planning Act

*Assented to May 2nd, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Planning Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 296,  
amended

6a.—(1) Notwithstanding section 216 of *The Assessment Act*, it is not an offence to disclose the information referred to therein to a member or employee of a planning board who declares that such information is required in the course of his duties. Disclosure  
of assess-  
ment  
information  
to planning  
boards  
R.S.O. 1960,  
c. 23

(2) A member or employee of a planning board who wilfully discloses or permits to be disclosed the information referred to in subsection 1 to any other person not likewise entitled in the course of his duties to acquire or have access to the information is guilty of an offence and on summary conviction is liable to a fine of not more than \$200, or to imprisonment for a term of not more than six months, or to both. Disclosure  
of assess-  
ment  
information  
by planning  
board  
employees,  
etc.

(3) This section does not prevent disclosure of such information by any person when being examined as a witness in an action or other proceeding in a court or in an arbitration. Idem

2.—(1) Clause *c* of subsection 1 of section 26 of *The Planning Act*, as re-enacted by subsection 1 of section 1 of *The Planning Amendment Act, 1960-61* and amended by subsection 1 of section 2 of *The Planning Amendment Act, 1966*, is repealed. R.S.O. 1960,  
c. 296, s. 26  
(1960-61,  
c. 76, s. 1,  
subs. 1),  
subs. 1,  
cl. c,  
repealed

(2) Subsection 1 of the said section 26 is amended by adding thereto the following clause: R.S.O. 1960,  
c. 296, s. 26  
(1960-61,  
c. 76, s. 1,  
subs. 1),  
subs. 1,  
amended

(da)

1964, c. 74

- (da) the land or any use of or right therein is being acquired for the construction of a transmission line as defined in *The Ontario Energy Board Act, 1964* and in respect of which the person acquiring the land has made a declaration that such land is being acquired for such purpose, which shall be conclusive evidence that the land is being acquired for such purpose; or

R.S.O. 1960,  
c. 296, s. 26  
(1960-61,  
c. 76, s. 1,  
subs. 1),  
subs. 3,  
amended

(3) Subsection 3 of the said section 26, as amended by subsection 3 of section 2 of *The Planning Amendment Act, 1966*, is further amended by adding thereto the following clause:

- (ba) the land or any use of or right therein is being acquired for the construction of a transmission line as defined in *The Ontario Energy Board Act, 1964* and in respect of which the person acquiring the land has made a declaration that such land is being acquired for such purpose, which shall be conclusive evidence that the land is being acquired for such purpose; or

R.S.O. 1960,  
c. 296, s. 27,  
subs. 1,  
cl. a,  
amended

**3.—**(1) Clause *a* of subsection 1 of section 27 of *The Planning Act* is amended by striking out "that is not within the scope of a by-law passed under section 30, or a predecessor of such section", in the first, second and third lines, so that the clause shall read as follows:

- (a) with respect to any land in Ontario, exercise any of the powers conferred upon councils by section 30 without the approval of the Municipal Board; and

R.S.O. 1960,  
c. 296, s. 27,  
amended

(2) The said section 27, as amended by subsection 2 of section 2 of *The Planning Amendment Act, 1960-61* and section 2 of *The Planning Amendment Act, 1964*, is further amended by adding thereto the following subsection:

Order to  
prevail  
over by-law

- (1b) Where a by-law passed under section 30 is in effect in a municipality or a part thereof and an order is made under clause *a* of subsection 1 applicable to such municipality or part, the by-law is not effective in such municipality or part while such order is in effect in such municipality or part.

4. Subsection 3 of section 32a of *The Planning Act*, as re-enacted by subsection 1 of section 11 of *The Planning Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 296, s. 32a,  
subs. 3  
(1962-63,  
c. 105, s. 11,  
subs. 1),  
re-enacted

- (3) A member of the council of the municipality or an employee of the municipality or of a local board thereof is not eligible to be a member of a committee of adjustment.

Members  
and  
employees  
of municipi-  
pality, etc.,  
not eligible

5.—(1) This Act, except subsection 1 of section 2, comes into force on the day it receives Royal Assent.

Commence-  
ment

(2) Subsection 1 of section 2 comes into force on the day following the day this Act receives Royal Assent.

Idem

6. This Act may be cited as *The Planning Amendment Act, 1968*.

Short title





## CHAPTER 97

## An Act to amend The Police Act

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Police Act*, as amended by section 2 of *R.S.O. 1960, c. 298, s. 2, The Police Amendment Act, 1964* and section 1 of *The Police Amendment Act, 1967*, is further amended by adding thereto the following subsection:

- (1b) Where in special circumstances a municipal police force, in the opinion of the Commission, is not capable of providing adequate policing for any part of the area for which it is responsible, the Attorney General may authorize the Ontario Provincial Police Force to police such part for such period and on such terms and conditions as the Attorney General prescribes.

2. Clause *a* of subsection 2 of section 3 of *The Police Act* is repealed and the following substituted therefor:

- (a) maintain a traffic patrol,

- (i) on the King's Highway, except such portions thereof as are designated by the Attorney General, and

- (ii) on such connecting links, within the meaning of *The Highway Improvement Act*, as are designated by the Attorney General.

3. Section 22 of *The Police Act*, as re-enacted by subsection 1 of section 6 of *The Police Amendment Act, 1965*, is amended by adding thereto the following subsection:

- (2) Where a question arises as to whether or not any person is a member of a police force for the purposes of any provision of this Act, the Commission shall,

upon

upon the application of any person affected and after a hearing, determine the question, and the decision of the Commission is final.

R.S.O. 1960,  
c. 298, s. 27,  
subs. 1  
(1964,  
c. 92, s. 8,  
subs. 1),  
amended

4.—(1) Subsection 1 of section 27 of *The Police Act*, as re-enacted by subsection 1 of section 8 of *The Police Amendment Act, 1964* and amended by section 8 of *The Police Amendment Act, 1966*, is further amended by striking out “full-time” in the first and second lines, so that the subsection shall read as follows:

Bargaining

- (1) When requested in writing by a majority of the members of the police force, the council of the municipality, or, where there is a board, the board, shall within sixty days after receipt of the request bargain in good faith with a bargaining committee of the members of the police force, and shall make every reasonable effort to come to an agreement for the purpose of making an agreement in writing defining, determining and providing for remuneration, pensions, sick leave credit gratuities, grievance procedures or working conditions of the members of the police force, other than the chief of police and any deputy chief of police, except such working conditions as are governed by a regulation made by the Lieutenant Governor in Council under this Act.

R.S.O. 1960,  
c. 298, s. 27,  
subs. 2,  
amended

- (2) Subsection 2 of the said section 27 is amended by striking out “full-time” in the first line, so that the subsection shall read as follows:

Association

- (2) Where not less than 50 per cent of the members of the police force belong to an association, any request made under subsection 1 shall be made by the association.

R.S.O. 1960,  
c. 298, s. 27,  
subs. 3,  
amended

- (3) Subsection 3 of the said section 27 is amended by striking out “full-time” in the second line, so that the first two lines of the subsection shall read as follows:

Affiliated  
body

- (3) In every case the members of a bargaining committee shall be members of the police force, but where,

. . . . .

R.S.O. 1960,  
c. 298, s. 27,  
subs. 3,  
cl. b,  
amended

- (4) Clause *b* of subsection 3 of the said section 27 is amended by striking out “full-time” in the first line, so that the clause shall read as follows:

- (b) not less than 50 per cent of the members of the police force belong to a police organization.

(5) Subsection 3a of the said section 27, as enacted by subsection 2 of section 8 of *The Police Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 298, s. 27,  
subs. 3a  
(1964,  
c. 92, s. 8,  
subs. 2),  
re-enacted

- (3a) In addition to the person mentioned in subsection 3, a bargaining committee may be accompanied by one legal counsel and one other adviser and the council or committee thereof or the board, as the case may be, may be accompanied by one legal counsel and one other adviser.

Counsel

5.—(1) Subsection 3 of section 28 of *The Police Act* is amended by striking out “agree upon” in the third line and inserting in lieu thereof “appoint”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 298, s. 28,  
subs. 3,  
amended

- (3) Where the two members of the board of arbitration appointed by the parties fail, within five days of the appointment of the one last appointed, to appoint a third member, the Attorney General may, upon notice in writing of such failure given to him by either of them or by either of the parties, appoint the third member.

Failure to  
appoint  
chairman

(2) Subsection 5 of the said section 28 is amended by adding at the end thereof “except that, where the third arbitrator is appointed by the Attorney General, the cost of the third arbitrator shall be paid by Ontario”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 298, s. 28,  
subs. 5,  
amended

- (5) Each party shall assume its own costs of the arbitration proceedings and shall share the cost of the third arbitrator equally, except that, where the third arbitrator is appointed by the Attorney General, the cost of the third arbitrator shall be paid by Ontario.

Costs

6. Subsection 3 of section 29 of *The Police Act* is amended by adding at the end thereof “except that, where the arbitrator is appointed by the Attorney General, the cost of the arbitrator shall be paid by Ontario”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 298, s. 29,  
subs. 3,  
amended

- (3) The parties shall share equally the cost of the arbitration proceedings and the cost of the arbitrator except that, where the arbitrator is appointed by the Attorney General, the cost of the arbitrator shall be paid by Ontario.

Costs

R.S.O. 1960,  
c. 298, s. 32,  
re-enacted

7. Section 32 of *The Police Act*, as amended by section 10 of *The Police Amendment Act, 1964*, is repealed and the following substituted therefor:

Determina-  
tion of  
disputes

32.—(1) Where a difference arises between the parties relating to the interpretation, application or administration of an agreement made under section 27, or of a decision or award of an arbitrator or board of arbitration made under section 28 or 29, including any question as to whether a matter is arbitrable, or where an allegation is made that the agreement or award has been violated, either of the parties may, after exhausting any grievance or arbitration procedure established by the agreement, notify the other party and the Commission, in writing, of its desire to submit the difference or allegation to the Commission, and the Commission shall set a date for a hearing within thirty days after receipt of the notice and shall hear and determine the difference or allegation, and the decision of the Commission is final and binding upon the parties.

Enforce-  
ment

(2) Either of the parties or the Commission may, after the expiration of thirty days from the date of the delivery of the decision, or of the date provided in the decision for compliance, whichever is the later, file in the office of the Registrar of the Supreme Court a copy of the decision, exclusive of the reasons therefor, in the form prescribed by the regulations, whereupon the decision shall be entered in the same way as a judgment or order of that court and is enforceable as such.

R.S.O. 1960,  
c. 298, s. 33,  
subs. 1,  
amended

8. Subsection 1 of section 33 of *The Police Act*, as amended by section 9 of *The Police Amendment Act, 1966*, is further amended by striking out "full-time" in the fifth line, so that the subsection shall read as follows:

Effect of  
agreement  
or award

(1) Every agreement made under section 27 and every decision or award of a majority of the members of a board of arbitration under section 28 or of an arbitrator under section 29 or 32 is binding upon the council of the municipality, the board, where there is a board, and the members of the police force, other than the chief of police and any deputy chief of police.

R.S.O. 1960,  
c. 298,  
amended

9. *The Police Act* is amended by adding thereto the following section:

Applica-  
tion of  
R.S.O. 1960,  
c. 18

35a. *The Arbitrations Act* does not apply to an arbitration under section 27, 28 or 29.



**10.** Part III of *The Police Act*, as amended by section 5 of *The Police Amendment Act, 1961-62* and section 10 of *The Police Amendment Act, 1966*, is repealed.

R.S.O. 1960,  
c. 298,  
Part III,  
(ss. 36-39),  
repealed

**11.** Section 39a of *The Police Act*, as enacted by section 6 of *The Police Amendment Act, 1961-62* and amended by section 3 of *The Police Amendment Act, 1962-63*, is further amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 298,  
s. 39a  
(1961-62,  
c. 105, s. 6),  
amended

- (6) All orders, consents, certificates and other documents issued or made by the Commission shall be signed by the chairman or any member of the Commission, and, when purporting to be so signed, shall be judicially noticed without further proof.

Signing of  
orders,  
etc.

**12.**—(1) Subsection 1 of section 48 of *The Police Act*, as amended by subsection 1 of section 9 of *The Police Amendment Act, 1961-62*, subsections 1 and 2 of section 10 of *The Police Amendment Act, 1965* and section 16 of *The Police Amendment Act, 1966*, is further amended by striking out “to the Attorney General” in the third line, so that the subsection, exclusive of the clauses, shall read as follows:

R.S.O. 1960,  
c. 298, s. 48,  
subs. 1,  
amended

- (1) The Ontario Police Commission or any member thereof designated by the chairman may investigate, inquire into and report upon the conduct of or the performance of duties by any chief of police, other police officer, constable, special constable or by-law enforcement officer, the administration of any police force, the system of policing any municipality, and the police needs of any municipality,

Investiga-  
tion

. . . . .

(2) Subsection 3 of the said section 48 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 298, s. 48,  
subs. 3,  
re-enacted

- (3) The Commission shall communicate its report of an investigation under subsection 1,
  - (a) to the Attorney General upon his request or if the Commission considers it advisable;
  - (b) to the council or, where there is a board, the board of the municipality for which the police force is maintained upon its request or if the Commission considers it advisable; and
  - (c) to such other persons as the Commission considers advisable.

Report

Commence-  
ment

**13.**—(1) This Act, except section 10, comes into force on the day it receives Royal Assent.

Idem

(2) Section 10 shall be deemed to have come into force on the 1st day of January, 1968.

Short title

**14.** This Act may be cited as *The Police Amendment Act, 1968*.

## CHAPTER 98

**An Act to amend The Power Commission Act**

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 1 of section 21 of *The Power Commission Act* is amended by inserting after “includes” in the eighth line “any member of the Commission who contributes or has contributed to the fund and”, so that the subsection shall read as follows: R.S.O. 1960,  
c. 300, s. 21,  
subs. 1,  
amended

- (1) The Pension and Insurance Fund of The Hydro-Electric Power Commission of Ontario, in this section called the “fund”, is continued for the payment of benefits by way of pensions or superannuation allowances to, or allowances upon the death or disability of, such employees of the Commission as the Commission determines in accordance with this section and any regulations made under this section, and for the purposes of this section “employee” includes any member of the Commission who contributes or has contributed to the fund and any person in the employ of the Commission on or after the 1st day of November, 1947. Pension and  
Insurance  
Fund

(2) Subsection 6 of the said section 21, as amended by subsection 1 of section 3 of *The Power Commission Amendment Act, 1965*, is further amended by adding thereto the following clause: R.S.O. 1960,  
c. 300, s. 21,  
subs. 6,  
amended

- (da) providing for the transfer from or to the fund of a pension entitlement and prescribing the terms and conditions upon which pension benefits under the plan in respect of employment with a previous employer may be provided by the transfer to the fund of such a pension entitlement.

R.S.O. 1960,  
c. 300, s. 48,  
subs. 3,  
amended

2. Subsection 3 of section 48 of *The Power Commission Act* is amended by striking out "\$2" in the eighth line and inserting in lieu thereof "\$8", so that the subsection shall read as follows:

Idem

- (3) In addition to the amounts payable under subsection 2, the Commission shall pay in each year to any municipality in which are situated generating station buildings or transformer station buildings owned by and vested in the Commission the total amount that all rates except, subject to subsections 4 and 5, rates on business assessment, levied in that municipality for taxation purposes would produce based on an assessed value of such buildings to be determined on the basis of \$8 for each square foot of inside ground floor area of the actual buildings housing the generating, transforming and auxiliary equipment and machinery multiplied by the equalization factor used in that year by the Department of Municipal Affairs.

R.S.O. 1960,  
c. 300, s. 69,  
amended

3. Section 69 of *The Power Commission Act* is amended by adding thereto the following subsection:

Contracts  
with police  
villages

- (11) Notwithstanding anything in this section, no contract between the trustees of a police village and the Commission for the supply of power shall be entered into after the 1st day of July, 1968.

R.S.O. 1960,  
c. 300, s. 75,  
subs. 1,  
amended

4. Subsection 1 of section 75 of *The Power Commission Act* is amended by striking out "the Commission is of the opinion that" in the fifth line and by striking out "and the Commission so declares," in the ninth and tenth lines, so that the subsection shall read as follows:

State of  
emergency

- (1) Notwithstanding anything in this Act or in any general or special Act or in any contract heretofore or hereafter entered into by the Commission or by any municipal corporation for which the Commission supplies power under section 86, where at any time a state of emergency exists by reason of damage to or destruction, failure or breakdown of any of its works, wastage of power, power demand in excess of its power resources or other matters restricting its ability to deliver power, the Commission may, during the state of emergency,

- (a) allocate and distribute its available power among the customers under such contracts and interrupt or decrease delivery of power

under

under any contract during the continuance of the emergency; and

- (b) with the approval of the Lieutenant Governor in Council, regulate, restrict, prohibit and control the generation, transformation, transmission, distribution, supply and use of power supplied by it,

in order to effect what is in its opinion the most economical, efficient and equitable use and distribution of such power.

5.—(1) This Act, except section 2, comes into force on the day it receives Royal Assent. <sup>Commence-</sup><sub>ment</sub>

(2) Section 2 shall be deemed to have come into force on the 1st day of January, 1968. <sup>Idem</sup>

6. This Act may be cited as *The Power Commission Amendment Act, 1968*. <sup>Short title</sup>





## CHAPTER 99

**An Act to amend  
The Prearranged Funeral Services Act, 1961-62**

*Assented to March 28th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Prearranged Funeral Services Act*, 1961-62, c. 108, s. 1, amended 1961-62, c. 108, s. 1, is amended by striking out "an embalmer or" in the first and second lines and inserting in lieu thereof "a", so that the section shall read as follows:

1. In this Act, "funeral services" means the services of a funeral director licensed under *The Embalmers and Funeral Directors Act* and the provision of any matter, thing or service for the purpose of a funeral, other than a cemetery plot.

**2.** Section 2 of *The Prearranged Funeral Services Act*, 1961-62, c. 108, s. 2, amended 1961-62, c. 108, s. 2, is amended by striking out "an embalmer or" in the second line and inserting in lieu thereof "a", so that the section shall read as follows:

2. Unless he is an insurer licensed under *The Insurance Act*, or a funeral director licensed under *The Embalmers and Funeral Directors Act*, no person shall agree or offer to agree, for a consideration that is fixed by the agreement, to furnish or make provision for funeral services upon the death of a person who is alive at the time the agreement or offer is made.

**3.** Section 4 of *The Prearranged Funeral Services Act*, 1961-62, c. 108, s. 4, amended 1961-62, c. 108, s. 4, is amended by striking out "embalmer or" in the first line, so that the section shall read as follows:

4. Every funeral director who receives money under an agreement referred to in section 2 shall receive and hold the money in trust until the agreement has been fully performed by him.

1961-62,  
c. 108, s. 5,  
subs. 2,  
amended

4. Subsection 2 of section 5 of *The Prearranged Funeral Services Act, 1961-62* is amended by striking out “an embalmer or” in the fourth line and inserting in lieu thereof “a”, so that the subsection shall read as follows:

Inspection  
and misuse  
of trust  
money  
R.S.O. 1960,  
c. 120

(2) The Board of Administration appointed under *The Embalmers and Funeral Directors Act* shall cause the trust accounts to be inspected as required by the regulations, and any misuse of trust funds by a funeral director shall be deemed to be sufficient grounds for cancellation of his licence under *The Embalmers and Funeral Directors Act*.

Commence-  
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Prearranged Funeral Services Amendment Act, 1968*.

## CHAPTER 100

## An Act to amend The Private Hospitals Act

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Private Hospitals Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 305,  
amended

22c.—(1) Where a patient in a private hospital is an indigent person or a dependant of an indigent person and is declared by the attending physician not to require continued medical and skilled nursing care in a private hospital but requires only custodial care, the municipality in which such person was resident at the time of admission is liable to the private hospital for payment of the per diem contract rate, established for that private hospital by the Commission, from the twenty-first day after the day on which notice that the patient is declared to require only custodial care has been sent by the superintendent of the private hospital by registered mail to the clerk of the municipality until such patient leaves the private hospital. Custodial  
care

(2) A municipality that is liable to a private hospital for the payment of the per diem contract rate under subsection 1 shall make such payment to the private hospital at least quarterly. Payment of  
per diem  
contract  
rate

(3) Where the person referred to in subsection 1 was a resident of territory without municipal organization, the Province shall pay the per diem contract rate in accordance with subsection 1. Idem

(4) For the purposes of this section, “indigent person” means a person who is receiving assistance from a municipality or is declared eligible by the Department of Social and Family Services to receive such assistance, or who has no place of abode to which he may go from the private hospital. Interpre-  
tation

R.S.O. 1960,  
c. 305, s. 24,  
subs. 1,  
amended

**2.** Subsection 1 of section 24 of *The Private Hospitals Act* is amended by adding thereto the following clause:

(la) defining words and terms used in the Act and the regulations for the purposes of the Act and the regulations.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Private Hospitals Amendment Act, 1968*.



## CHAPTER 101

**An Act to amend The Private Investigators  
and Security Guards Act, 1965**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 3 of *The Private Investigators and Security Guards Act, 1965* is repealed and the following substituted therefor: <sup>1965, c. 102, s. 3, re-enacted</sup>

3.—(1) There shall be a Registrar of Private Investigators and Security Guards appointed by the Lieutenant Governor in Council who may exercise the powers and shall discharge the duties vested in or imposed upon him by this Act or the regulations, under the direction of the Commissioner. Registrar

(2) The Lieutenant Governor in Council may appoint a Deputy Registrar of Private Investigators and Security Guards who shall act as Registrar during the absence of the Registrar or his inability to act. Deputy Registrars

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The Private Investigators and Security Guards Amendment Act, 1968*. Short title



## CHAPTER 102

## An Act to amend The Probation Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Probation Act* is repealed. R.S.O. 1960,  
c. 308, s. 2,  
repealed
2. Clause *b* of section 5 of *The Probation Act* is repealed. R.S.O. 1960,  
c. 308, s. 5,  
cl. *b*,  
repealed
3. This Act shall be deemed to have come into force on the 1st day of January, 1968. Commence-  
ment
4. This Act may be cited as *The Probation Amendment Act, 1968*. Short title



CHAPTER 103

**An Act to provide for  
Provincial Courts and Judges**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Interpre-  
tation

- 1.** In this Act,
- (a) “judge” means a provincial judge appointed under this Act;
  - (b) “Judicial Council” means the Judicial Council for Provincial Judges established under section 7;
  - (c) “Minister” means the Minister of Justice and Attorney General. *New.*

PART I

PROVINCIAL JUDGES

**2.** The Lieutenant Governor in Council on the recom-<sup>Appoint-</sup>ment of the Minister may appoint such provincial judges<sup>ment of judges</sup> as he considers necessary. R.S.O. 1960, c. 201, s. 4 (1); 1964, c. 57, s. 2, *amended*.

**3.—(1)** Every judge shall take and subscribe the following<sup>Oath</sup> oath before a chief judge or a judge designated by him:

I, .....  
do swear that I will truly and faithfully, according to my skill and knowledge, execute the several duties, powers and trusts of the Provincial Courts, so help me God.

and also the oath of allegiance as required by *The Public Officers Act*.<sup>R.S.O. 1960, c. 326</sup>

(2) The oath of office and oath of allegiance shall be<sup>Filing of</sup> transmitted forthwith to the Inspector of Legal Offices and shall be filed in his office. R.S.O. 1960, c. 226, s. 6, *amended*.



Removal  
for cause

**4.—(1)** A judge may be removed from office before attaining retirement age only for misbehaviour or for inability to perform his duties properly and only if,

- (a) the circumstances respecting the misbehaviour or inability are first inquired into; and
- (b) the judge is given reasonable notice of the time and place for the inquiry and is afforded an opportunity, by himself or his counsel, of being heard and of cross-examining the witnesses and of producing evidence on his own behalf.

Inquiry

(2) For the purpose of making an inquiry under subsection 1, the Lieutenant Governor in Council may appoint one or more judges of the Supreme Court who shall make the inquiry and report thereon, and a judge so appointed has all the powers that may be conferred upon a commissioner under

R.S.O. 1960,  
c. 323

*The Public Inquiries Act.*

Order for  
removal

(3) An order removing a judge from office under this section may be made by the Lieutenant Governor in Council and the order and the report of the inquiry shall be laid before the Legislative Assembly if it is in session or, if not, within fifteen days after the commencement of the next ensuing session. R.S.O. 1960, c. 227, s. 3 (2-4), *amended*.

Retirement

**5.—(1)** Every judge shall retire upon attaining the age of sixty-five years.

Idem

(2) Notwithstanding subsection 1, a judge appointed as a full-time magistrate after the 1st day of July, 1941 and before this Act comes into force shall retire upon attaining the age of seventy years.

Idem

(3) Notwithstanding subsection 1, a judge appointed as a full-time magistrate on or before the 1st day of July, 1941, shall retire upon attaining the age of seventy-five years.

Re-appoint-  
ment

(4) Upon attaining an age for retirement under subsection 1 or 2, a judge may be re-appointed to hold office during pleasure but shall not hold office after attaining the age of seventy-five years. 1961-62, c. 76, s. 1, *amended*.

Resignation

**6.** A judge may at any time resign his office in writing, signed by him and delivered to the Minister. *New.*

Judicial  
Council  
established

**7.—(1)** The Judicial Council for Provincial Judges is established and shall be composed of,

- (a) the Chief Justice of Ontario;

(b)

- (b) the Chief Justice of the High Court;
- (c) the chief judge of the Provincial Courts (Criminal Division);
- (d) the chief judge of the Provincial Courts (Family Division);
- (e) the Treasurer of the Law Society of Upper Canada; and
- (f) not more than two other persons appointed by the Lieutenant Governor in Council.

(2) Such officers and employees of the Judicial Council as <sup>Staff</sup> are deemed necessary shall be appointed under *The Public* <sup>1961-62, c. 121</sup> *Service Act, 1961-62.*

(3) A majority of members of the Judicial Council con-<sup>Quorum</sup>stitutes a quorum and is sufficient for the exercise of all the jurisdiction and powers of the Judicial Council. *New.*

**8.—**(1) The functions of the Judicial Council are, **Functions**

- (a) at the request of the Minister, to consider the proposed appointment of provincial judges and make a report thereon to the Minister; and
- (b) to receive complaints respecting the misbehaviour of or neglect of duty by judges or the inability of judges to perform their duties, and to hold inquiries in respect thereof.

(2) An inquiry held by the Judicial Council under clause *b* <sup>Inquiries</sup> of subsection 1 shall not be public.

(3) The Judicial Council, after holding such an inquiry, <sup>Idem</sup> may recommend to the Lieutenant Governor in Council that an inquiry be held under section 4. *New.*

**9.—**(1) Every judge has jurisdiction throughout Ontario <sup>Jurisdiction</sup> and,

- (a) shall exercise all the powers and perform all the duties conferred or imposed upon a provincial judge by or under any Act of the Legislature or of the Parliament of Canada;
- (b) has all the power and authority now vested by or under any Act of the Legislature in a magistrate, two justices of the peace sitting together or a juvenile and family court or a judge thereof;

(c)

(c) subject to subsection 2, may exercise all the powers and perform all the duties conferred or imposed upon a magistrate, provincial magistrate or one or more justices of the peace under any Act of the Parliament of Canada;

(d) is *ex officio* a justice of the peace and commissioner for taking affidavits. R.S.O. 1960, c. 226, s. 2 (2), *amended*.

Idem

1958-54,  
c. 51 (Can.)

(2) A judge shall not exercise the powers or perform the duties conferred or imposed upon a magistrate under Part XVI of the *Criminal Code* (Canada) unless,

(a) he has been a member of the bar of one of the provinces of Canada for at least five years;

(b) he has acted as a provincial judge for a period of five years; or

(c) he was acting as a full-time deputy magistrate, magistrate or judge of the juvenile and family court immediately before this Act comes into force,

and he is so designated by the Lieutenant Governor in Council. *New.*

Chief  
judge

**10.**—(1) The Lieutenant Governor in Council may appoint a judge as chief judge of the Provincial Courts (Criminal Division) and a judge as chief judge of the Provincial Courts (Family Division).

Alternates

(2) The Minister may designate judges to act in the place of a chief judge for all purposes during his illness or absence.

Duties

(3) Each chief judge shall have general supervision and direction over arranging the sittings of his courts and assigning judges for hearings in his courts, as circumstances require.

Idem

(4) In the arrangement of the courts and the assignment of judges thereto, regard shall be had to,

(a) the desirability of rotating the judges; and

(b) the greater volume of judicial work in certain of the counties and districts. 1960-61, c. 57, s. 4; 1967, c. 43, s. 1, *part*.

Senior  
judges

**11.** The Minister may designate a judge to be senior judge of such Provincial Courts (Criminal Division) or Provincial Courts (Family Division), or both as are named in the designation. *New.*

**12.**—(1) Subject to subsection 2, unless authorized by the Lieutenant Governor in Council, a judge shall not practise or actively engage in any business, trade or occupation but shall devote his whole time to the performance of his duties as a judge. <sup>Other employment</sup>

(2) A judge, with the previous consent of the Minister, <sup>Idem</sup> may act as arbitrator, conciliator or member of a police commission. R.S.O. 1960, c. 226, s. 10, *amended*.

**13.** *The Public Authorities Protection Act* applies to judges in the same manner and to the same extent as it applies to justices of the peace, without limiting any other defences available to judges under the law in respect of acts done in the execution of their duties. *New.* <sup>Application of R.S.O. 1960, c. 318</sup>

## PART II

### PROVINCIAL COURTS (CRIMINAL DIVISION)

**14.** There shall be in and for every county and district a court of record to be styled, <sup>Provincial Courts (Criminal Division)</sup>

(a) in counties, the "Provincial Court (Criminal Division) of the County (*or* United Counties) of (*naming the county or united counties*)";

(b) in The Regional Municipality of Ottawa-Carleton, the "Provincial Court (Criminal Division) of The Regional Municipality of Ottawa-Carleton";

(c) in districts, the "Provincial Court (Criminal Division) of the District of (*naming the district*)",

presided over by a judge. *New.*

**15.** A judge shall exercise the powers and perform the duties vested in him as a magistrate, provincial magistrate or one or more justices of the peace under section 9 sitting in a Provincial Court (Criminal Division). *New.* <sup>Judges preside</sup>

**16.** The judges of the Provincial Court (Criminal Division) of each county or district may hold sittings at any place in the county or district designated by the chief judge of the Provincial Courts (Criminal Division). *New.* <sup>Sittings</sup>

## PART III

### PROVINCIAL COURTS (FAMILY DIVISION)

**17.**—(1) There shall be in and for every county and district a court of record to be styled, <sup>Provincial Courts (Family Division)</sup>

(a)



- (a) in counties, the "Provincial Court (Family Division) of the County (or United Counties) of (*naming the county or united counties*)";
- (b) in The Regional Municipality of Ottawa-Carleton, the "Provincial Court (Family Division) of The Regional Municipality of Ottawa-Carleton".
- (c) in districts, the "Provincial Court (Family Division) of the District of (*naming the district*)",

presided over by a judge. *New.*

#### Jurisdiction

- (2) Each Provincial Court (Family Division),

R.S.C. 1952,  
c. 160

- (a) is a juvenile court for the purpose of dealing with juvenile delinquents so soon as the *Juvenile Delinquents Act* (Canada) is proclaimed in force in the county or district for which it was established, and such court has all the powers vested in a juvenile court under that Act;
- (b) has power to try any child charged with an offence against the laws of Ontario; and
- (c) has power to deal with all cases where jurisdiction is conferred by any Act upon a juvenile court or a judge thereof or upon a juvenile and family court or a judge thereof or upon a Provincial Court (Family Division). R.S.O. 1960, c. 201, s. 3, *amended*.

#### Judge presides

**18.** A judge shall exercise the powers and perform the duties vested in him as a judge of the juvenile and family court under section 9 sitting in a Provincial Court (Family Division). *New.*

#### Sittings

**19.** The judges of the Provincial Court (Family Division) of each county or district may hold sittings at any place in the county or district designated by the chief judge of the Provincial Courts (Family Division). *New.*

#### Control of officers and staff

**20.** The officers and members of the staff of a Provincial Court (Family Division) shall act in accordance with the directions of the presiding judge of the court. R.S.O. 1960, c. 201, s. 15 (2), *amended*.

#### Detention and observation home

**21.—(1)** A detention and observation home may be established, maintained and operated as a part of a Provincial Court (Family Division).



(2) The superintendent and assistant superintendent of a <sup>Status</sup> detention and observation home shall be deemed to be officers of the court of which the home is a part. R.S.O. 1960, c. 201, s. 6 (1, 3).

**22.** The Minister may declare any place, house, home or <sup>Detention homes</sup> institution a detention home within the meaning of the *Juvenile Delinquents Act* (Canada). R.S.O. 1960, c. 201, <sup>R.S.C. 1952, c. 160</sup> s. 7 (1).

**23.**—(1) A diagnostic clinic may be established, main- <sup>Diagnostic clinic</sup> tained and operated as part of a Provincial Court (Family Division).

(2) Professional persons appointed for the purposes of a <sup>Professional persons status</sup> diagnostic clinic shall be deemed to be officers of the court of which the clinic forms a part. R.S.O. 1960, c. 201, s. 8, *amended*.

**24.** Every probation officer appointed for a Provincial <sup>Powers of probation officers</sup> Court (Family Division) has, while acting in the discharge of his duties, all the powers of a police constable. R.S.O. 1960, c. 201, s. 11 (2), *amended*.

**25.**—(1) A person entitled to alimony or maintenance <sup>Alimony and maintenance orders</sup> under a judgment or order of the Supreme Court or a surrogate court may file a copy of the judgment or order in the Provincial Court (Family Division) having jurisdiction where the person ordered to pay the alimony or maintenance resides, and, when so filed, it shall be enforced in the same manner as an order made in that court under *The Deserted Wives' and Children's Maintenance Act*. <sup>R.S.O. 1960, c. 105</sup>

(2) A person entitled to maintenance under a judgment <sup>Interpre-  
tation</sup> or order of the Supreme Court or a surrogate court within the meaning of subsection 1 includes a child entitled to maintenance under the judgment or order. R.S.O. 1960, c. 201, s. 20; 1967, c. 43, s. 2.

**26.**—(1) The Rules Committee of the Provincial Courts <sup>Rules of procedure</sup> (Family Division) is established and shall be composed of such members as are appointed by the Lieutenant Governor in Council who shall designate one of the members as chairman.

(2) A majority of the members of the Rules Committee <sup>Quorum</sup> constitutes a quorum.

(3) Subject to the approval of the Lieutenant Governor <sup>Rules</sup> in Council, the Rules Committee of the Provincial Courts (Family Division) may make rules regulating any matters relating to the practice and procedure of the courts, including, without limiting the generality of the foregoing,

- (a) regulating the duties of officers of the courts;
- (b) regulating the costs of proceedings in the courts;
- (c) prescribing and regulating the proceedings under any Act that confers jurisdiction upon the courts or a judge sitting therein;
- (d) governing the payment, transfer or deposit into, or in, or out of, any court of any money or property, or to the dealing therewith;
- (e) allowing for service out of Ontario.

Idem

(4) Where provisions in respect of practice or procedure are contained in any Act, rules may be made adding to or modifying such provisions to any extent that is deemed necessary for the equitable despatch of the business of the court unless that power is expressly excluded. *New.*

## PART IV

### GENERAL

Clerk

**27.**—(1) There shall be a clerk for each Provincial Court (Criminal Division) and each Provincial Court (Family Division) who shall act under the direction and supervision of the judge. *New.*

Officers and  
employees  
1961-62,  
c. 121

(2) Such officers, clerks and employees as are deemed necessary shall be appointed for Provincial Courts under *The Public Service Act, 1961-62*. R.S.O. 1960, c. 201, s. 16 (1); 1961-62, c. 67, s. 3 (1), *amended*.

Regulations

**28.**—(1) The Lieutenant Governor in Council may make regulations,

- (a) specifying the returns to be made by judges and chief judges;
- (b) providing for the safe-keeping, inspection and destruction of books, documents and papers of Provincial Courts and judges;
- (c) fixing the remuneration of judges;
- (d) providing for the benefits to which judges are entitled, including,
  - (i) leave of absence and vacations,

(ii)

(ii) sick leave credits and payments in respect of such credits,

(iii) pension benefits for judges and their widows and surviving children,

and for the transfer or other disposition of benefits in respect thereof to which persons appointed as judges under this Act were entitled under *The Public Service Act, 1961-62* or *The Public Service Superannuation Act* at the time of their appointment under this Act; <sup>1961-62, c. 121; R.S.O. 1960, c. 332</sup>

(e) providing for the appointment and employment of stenographic reporters to take down evidence before judges, and fixing their fees, expenses and other forms of remuneration;

(f) prescribing the duties of chief judges;

(g) prescribing the functions of and providing for the management of detention and observation homes, detention homes, and diagnostic clinics under this Act;

(h) prescribing the duties of the officers and employees of the staffs of Provincial Courts or of any class of such officers or members;

(i) providing for a system of statistical records relating to Provincial Courts;

(j) respecting any matter considered necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1960, c. 226, s. 20 (1); R.S.O. 1960, c. 201, s. 21; 1964, c. 57, s. 5; 1967, c. 43, s. 3, *amended*.

(2) Any regulation made under subsection 1 may be general or particular in its application. R.S.O. 1960, c. 226, s. 20 (2), *amended*. <sup>Idem</sup>

**29.** Every action or proceeding pending before a deputy magistrate or magistrate or before a juvenile and family court or a judge thereof on the day this Act comes into force is continued in the Provincial Court for the county or district in which the action or proceeding was taken, and shall proceed, so far as the judge considers practicable, in accordance with this Act. *New.* <sup>Continuation of proceedings</sup>

**30.** The following Acts are repealed:

1. *The Magistrates Act.*

R.S.O. 1960, c. 226;

2.

- 1960-61,  
c. 51;                      2. *The Magistrates Amendment Act, 1960-61.*
- 1961-62,  
c. 76;                      3. *The Magistrates Amendment Act, 1961-62.*
- 1964, c. 57;                4. *The Magistrates Amendment Act, 1964.*
- R.S.O. 1960,  
c. 201;                    5. *The Juvenile and Family Courts Act.*
- 1960-61,  
c. 42;                      6. *The Juvenile and Family Courts Amendment Act,  
1960-61.*
- 1961-62,  
c. 67;                      7. *The Juvenile and Family Courts Amendment Act,  
1961-62.*
- 1964, c. 51;                8. *The Juvenile and Family Courts Amendment Act,  
1964.*
- 1966, c. 75;                9. *The Juvenile and Family Courts Amendment Act,  
1966.*
- 1967, c. 43,  
repealed                  10. *The Juvenile and Family Courts Amendment Act,  
1967.*
- Commence-                **31.** This Act comes into force on a day to be named by the  
ment                          Lieutenant Governor by his proclamation.
- Short title                  **32.** This Act may be cited as *The Provincial Courts Act,*  
1968.

## CHAPTER 104

## An Act to amend The Provincial Parks Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Provincial Parks Act* is amended by adding thereto the following section: R.S.O. 1960,  
c. 314,  
amended

3b. The Lieutenant Governor in Council may classify any provincial park as a natural environmental park, a nature reserve park, a primitive park, a recreational park, a wild river park or such other class of park as he may designate. Classifica-  
tion of  
provincial  
parks

2. Section 4 of *The Provincial Parks Act* is amended by adding thereto the following subsection: R.S.O. 1960,  
c. 314, s. 4,  
amended

(1a) Without limiting the generality of subsection 1, in the management of a provincial park the Minister may from time to time define areas on maps or plans, designate such areas as zones, and classify any zone as an historic zone, multiple use zone, natural zone, primitive zone, recreational zone or otherwise as he deems proper. Zoning in  
provincial  
parks

3.—(1) Clause *n* of subsection 1 of section 15 of *The Provincial Parks Act* is amended by inserting after "licensing" in the first line "and requiring the use of", so that the clause shall read as follows: R.S.O. 1960,  
c. 314, s. 15,  
subs. 1,  
cl. *n*,  
amended

(*n*) regulating, controlling and licensing and requiring the use of guides in provincial parks.

(2) Subsection 2 of the said section 15 is repealed and the following substituted therefor: R.S.O. 1960,  
c. 314, s. 15,  
subs. 2,  
re-enacted

(2) Any regulation under subsection 1 may be made applicable to all provincial parks or to any provincial park or to any class of provincial park or to any part or zone of a provincial park. Applica-  
tion



Commence-  
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Provincial Parks Amendment Act, 1968*.

## CHAPTER 105

**An Act to amend  
The Public Commercial Vehicles Act**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Public Commercial Vehicles Act*, as amended by section 1 of *The Public Commercial Vehicles Amendment Act, 1961-62*, is further amended by adding thereto the following clauses:

- (cb) “freight forwarder” means any person not the holder of an operating licence who transports or offers to transport or provides the transportation or offers to provide the transportation of goods on a highway for compensation and who,
- (i) assembles and consolidates or provides for assembling and consolidating shipments of such goods, and performs or provides for distributing operations with respect to such consolidated shipments, and
  - (ii) assumes responsibility for the transportation of such property from point of receipt to point of destination, and
  - (iii) utilizes a commercial motor vehicle or trailer as defined in *The Highway Traffic Act* or a dual-purpose vehicle for the whole or any part of the transportation of such goods beyond an urban zone;
- . . . . .
- (ja) “tank truck vehicle” means a commercial motor vehicle, trailer or semi-trailer used for or capable of being used for the transportation of products in bulk and which contains or to which there is

attached

attached or upon which there has been placed either permanently or otherwise a closed tank or container having a capacity of 500 gallons or more.

R.S.O. 1960,  
c. 319, s. 2,  
subs. 2  
(1961-62,  
c. 114, s. 2).  
re-enacted

**2.** Subsection 2 of section 2 of *The Public Commercial Vehicles Act*, as re-enacted by section 2 of *The Public Commercial Vehicles Amendment Act, 1961-62*, is repealed and the following substituted therefor:

Certain  
leases  
prohibited

(2) No person shall enter into a lease of a commercial motor vehicle or trailer as defined in *The Highway Traffic Act* or a dual-purpose vehicle where,

(a) the lessor of such vehicle engages or pays directly or indirectly the driver of such vehicle; or

(b) the lessor in any manner whatsoever exercises any control over the driver in the course of his employment as a driver of such vehicle; or

(c) the lessee of such vehicle does not acquire or exercise absolute possession of and control over the operation of the vehicle under the lease; or

(d) the lessor of such vehicle in any manner whatsoever assumes any responsibility for any goods transported by the vehicle.

R.S.O. 1960,  
c. 319, s. 2a  
(1961-62,  
c. 114, s. 3),  
subs. 2,  
re-enacted

**3.—**(1) Subsection 2 of section 2a of *The Public Commercial Vehicles Act*, as enacted by section 3 of *The Public Commercial Vehicles Amendment Act, 1961-62*, is repealed and the following substituted therefor:

Hearing re  
transporta-  
tion of  
goods by a  
vehicle  
under a  
lease

(2) Where goods are transported on a highway by a commercial motor vehicle or trailer as defined in *The Highway Traffic Act* or a dual-purpose vehicle that is operated under a lease to the shipper or consignor of such goods, the Minister may direct the Board to conduct a hearing of the facts relating to the transportation for the purpose of determining whether or not the vehicle transporting the goods is a public commercial vehicle, and sections 9 and 10 of *The Ontario Highway Transport Board Act* apply in respect of such hearing.

R.S.O. 1960,  
cc. 172, 273

R.S.O. 1960,  
c. 319, s. 2a  
(1961-62,  
c. 114, s. 3),  
subs. 4,  
amended

(2) Subsection 4 of the said section 2a is amended by striking out "deemed to be a public commercial vehicle under subsection 2 of section 2" in the second and third

lines and inserting in lieu thereof "a public commercial vehicle", so that the subsection shall read as follows:

- (4) Where, under subsection 2, the Board determines that a vehicle is a public commercial vehicle, the Minister may, under subsection 3 of section 6 of *The Highway Traffic Act*, cancel the permit of any vehicle operated under the lease. Where vehicle deemed a commercial motor vehicle

4. Section 4 of *The Public Commercial Vehicles Act*, as amended by section 4 of *The Public Commercial Vehicles Amendment Act, 1961-62*, is further amended by adding thereto the following subsection: R.S.O. 1960, c. 319, s. 4, amended

- (1a) Subsection 1 does not apply to the issue of an operating licence for the transportation, except by a tank truck vehicle, of, Application to dump truck operation

(a) sand, gravel, earth, crushed or uncut rock and stone, slag and rubble; or

(b) salt, calcium chloride, a mixture of sand and salt, and asphalt mixes directly to highway construction or maintenance sites or to stock piles for further use on highway construction or maintenance sites.

5. *The Public Commercial Vehicles Act* is amended by adding thereto the following section: R.S.O. 1960, c. 319, amended

10a.—(1) No person shall operate as a freight forwarder unless he is the holder of a freight-forwarder's licence. Freight-forwarder's licence

(2) Freight-forwarders' licences shall be issued by the Minister and are subject to the regulations and the terms and conditions in the licence. Issue

6. Subsection 1 of section 14 of *The Public Commercial Vehicles Act* is amended by striking out "\$20" in the fourth line and inserting in lieu thereof "\$50", so that the subsection shall read as follows: R.S.O. 1960, c. 319, s. 14, subs. 1, amended

- (1) Every person who contravenes any of the provisions of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$200. Offences

7. Section 16 of *The Public Commercial Vehicles Act*, as amended by section 7 of *The Public Commercial Vehicles Amendment Act, 1961-62*, is further amended by adding thereto the following clause: R.S.O. 1960, c. 319, s. 16, amended

(ca)

(ca) requiring any person to whom an operating licence is issued to produce a certificate of mechanical fitness respecting any or all vehicles operated under such licence, and prescribing the form and content of a certificate of mechanical fitness.

Commence-  
ment

**8.**—(1) This Act, except section 5, comes into force on the day it receives Royal Assent.

Idem

(2) Section 5 comes into force on the 1st day of October, 1968.

Short title

**9.** This Act may be cited as *The Public Commercial Vehicles Amendment Act, 1968*.



CHAPTER 106

An Act to amend The Public Health Act

Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsections 3, 4, 5 and 6 of section 34 of *The Public Health Act* are repealed and the following substituted therefor: R.S.O. 1960,  
c. 321, s. 34,  
subss. 3, 4,  
re-enacted;  
subss. 5, 6,  
repealed

(3) Where a vacancy occurs in the office of medical officer of health or the medical officer of health is ill or absent from the municipality for a protracted period, the council of the municipality, with the approval of the Minister, may appoint an acting medical officer of health and such acting medical officer of health, during the vacancy or the illness or absence of the medical officer of health, has all the powers and shall perform all the duties of the medical officer of health. Acting  
medical  
officers of  
health,  
appoint-  
ment

(4) The council of a municipality, with the approval of the Minister, may appoint one or more associate medical officers of health who shall act under the direction of the medical officer of health, and while so acting an associate medical officer of health has all the powers and shall perform the same duties as a medical officer of health. Associate  
medical  
officers of  
health,  
appoint-  
ment

2.—(1) Clause *c* of subsection 6 of section 35 of *The Public Health Act*, as amended by subsection 1 of section 9 of *The Public Health Amendment Act, 1966*, is further amended by inserting after “health” in the second line “an acting medical officer of health, associate medical officers of health”, so that the clause shall read as follows: R.S.O. 1960,  
c. 321, s. 35,  
subss. 6,  
cl. *c*,  
amended

(*c*) prescribing the powers, qualifications, salary and duties of a medical officer of health, an acting medical officer of health, associate medical officers of health, school medical officers, dental officers, nurses, public health inspectors and other technical health workers in a health unit.

R.S.O. 1960,  
c. 321, s. 35,  
subs. 6,  
cl. d,  
amended

(2) Clause *d* of subsection 6 of the said section 35, as amended by subsection 2 of section 9 of *The Public Health Amendment Act, 1966*, is further amended by inserting after "health" in the third line "associate medical officers of health", so that the clause shall read as follows:

- (d) respecting the appointment and the tenure of office of the medical officer of health, acting medical officer of health, associate medical officers of health, school medical officers, dental officers, nurses, public health inspectors and other technical health workers in a health unit.

R.S.O. 1960,  
c. 321, s. 42,  
repealed

**3.** Section 42 of *The Public Health Act* is repealed.

R.S.O. 1960,  
c. 231,  
s. 95*a*  
(1967,  
c. 79, s. 7),  
subs. 18,  
cl. a,  
re-enacted

**4.** Clause *a* of subsection 18 of section 95*a* of *The Public Health Act*, as enacted by section 7 of *The Public Health Amendment Act, 1967*, is repealed and the following substituted therefor:

- (a) designating wastes in addition to those specified in clause *c* of subsection 1.

Commence-  
ment

**5.** This Act comes into force on the day it receives Royal Assent.

Short title

**6.** This Act may be cited as *The Public Health Amendment Act, 1968*.

## CHAPTER 107

## An Act to amend The Public Hospitals Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 4 of section 16 of *The Public Hospitals Act* is amended by striking out "Department of Public Welfare" in the third line and inserting in lieu thereof "Department of Social and Family Services". R.S.O. 1960,  
c. 322, s. 16,  
subs. 4,  
amended

**2.** Section 17 of *The Public Hospitals Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 322, s. 17,  
re-enacted

17. Subject to any existing agreement relating thereto, every hospital receiving provincial aid shall provide such facilities as the regulations require for dental students, student dietitians, medical students and interns, students of nursing, student laboratory technicians, student physiotherapists, student occupational therapists, student X-ray technicians and student social workers. Facilities  
for students

**3.—(1)** Subsection 1 of section 21 of *The Public Hospitals Act*, as re-enacted by section 3 of *The Public Hospitals Amendment Act, 1965*, is amended by striking out "ninety" in the first line and inserting in lieu thereof "sixty", so that the subsection shall read as follows: R.S.O. 1960,  
c. 322, s. 21,  
subs. 1  
(1965,  
c. 107, s. 3),  
amended

(1) Not later than sixty days after the admission to a hospital of a patient who is or is represented to be an indigent person or the dependant of an indigent person, the superintendent shall, by registered mail, notify the clerk of the municipality in which such indigent person is or is represented to be a resident of such admission, giving such particulars as are ascertainable to enable the clerk to identify the indigent person. Notice to  
municipality of  
admission  
of indigent  
to hospital

R.S.O. 1960,  
c. 322, s. 21,  
subs. 2  
(1965,  
c. 107, s. 3),  
amended

(2) Subsection 2 of the said section 21, as re-enacted by section 3 of *The Public Hospitals Amendment Act, 1965*, is amended by striking out "ninety" in the fifth line and inserting in lieu thereof "thirty", so that the subsection shall read as follows:

Indigency  
after  
admission

(2) Where a patient becomes an indigent person or is the dependant of a person who becomes an indigent person after admission to a hospital, the superintendent shall notify the clerk of the municipality in accordance with subsection 1 not later than thirty days after the indigency becomes known to the superintendent.

R.S.O. 1960,  
c. 322, s. 21,  
amended

(3) The said section 21 is amended by adding thereto the following subsection:

Time for  
giving  
notice

(4) Notice under subsection 1, 2 or 3 shall not be given later than ninety days after the date of the discharge of the patient from the hospital or after his death, as the case may be.

R.S.O. 1960,  
c. 322, s. 23,  
cl. c,  
re-enacted

4. Clause *c* of section 23 of *The Public Hospitals Act* is repealed and the following substituted therefor:

pupils

(c) if the patient has been living in the municipality by reason of being a pupil in a school, college, university or other seminary of learning situate in the municipality, or in a school of nursing or training centre approved under *The Nurses Act, 1961-62*, or a predecessor thereof, and situate in the municipality; or

1961-62,  
c. 90

. . . . .

R.S.O. 1960,  
c. 322, s. 35,  
subs. 1,  
cl. l,  
re-enacted

5. Clause *l* of subsection 1 of section 35 of *The Public Hospitals Act* is repealed and the following substituted therefor:

(l) prescribing the facilities that hospitals shall provide for dental students, student dietitians, medical students and interns, students of nursing, student laboratory technicians, student physiotherapists, student occupational therapists, student X-ray technicians and student social workers.

Commence-  
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. This Act may be cited as *The Public Hospitals Amendment Act, 1968*.



## CHAPTER 108

## An Act to amend The Public Lands Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 2 of section 37 of *The Public Lands Act*, as re-enacted by section 1 of *The Public Lands Amendment Act, 1965*, is amended by striking out “local” in the fifth line, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 324, s. 37  
(1965,  
c. 108, s. 1),  
subs. 2,  
amended

(2) Where a Crown grant is made of public lands situate in a county, city or separated town to which *The Land Titles Act* applies or in a provisional judicial district, the Minister shall cause to be forwarded to the master of titles the instrument by which the Crown grant is made, together with a copy thereof.

Crown  
grants  
registered  
in land  
titles office  
R.S.O. 1960,  
c. 204

(2) The said section 37 is amended by adding thereto the following subsections:

R.S.O. 1960,  
c. 324, s. 37  
(1965,  
c. 108, s. 1),  
amended

(3a) Notwithstanding subsections 2 and 3, where an order is made under subsection 2 of section 63 or a grant of mineral rights is made under *The Canada Company's Lands Act, 1922*, the Minister shall cause such order or the instrument by which the Crown grant is made, as the case may be, together with a copy thereof, to be forwarded to the master of titles or registrar of deeds in whose office the land affected is registered.

Orders,  
grants of  
minerals  
registered  
in land  
titles and  
registry  
offices  
1922, c. 24

(3b) Notwithstanding subsections 2 and 3, where an instrument affecting any public lands has been registered in a land titles or registry office and a Crown grant of the public lands is made, the Minister shall cause the instrument by which the Crown grant is made to be forwarded for registration and he may determine whether it shall be forwarded to the master of titles or registrar of deeds.

Registra-  
tion in  
land titles  
or registry  
office



R.S.O. 1960,  
c. 324, s. 37  
(1965,  
c. 108, s. 1),  
subs. 4,  
amended

(3) Subsection 4 of the said section 37 is amended by striking out "or 3, the local" in the second line and inserting in lieu thereof "3, 3a or 3b, the", so that the subsection shall read as follows:

Registration

(4) Upon receipt of an instrument and the copy thereof under subsection 2, 3, 3a or 3b, the master of titles or the registrar shall, without fee or other charge, register the instrument, note particulars of registration on the copy and forward the copy to the grantee at the address furnished by the Department.

R.S.O. 1960,  
c. 324,  
amended

2. *The Public Lands Act* is amended by adding thereto the following Part:

## PART IA

### ROADS ON PUBLIC LANDS

Interpre-  
tation

43d. In this Part,

(a) "private forest road" means a road occupied under the authority of a document issued under this Act or the regulations;

(b) "public forest road" means a road, other than a private forest road, that is designated by the Minister as a public forest road;

(c) "road" means a road or part of a road on public lands and includes the bridges, shoulders, ditches and right-of-way thereof, but does not include the King's Highway or a secondary highway, a tertiary road, a resource road or an industrial road designated under *The Highway Improvement Act*, or a road under the jurisdiction of a statute labour board or a local roads board.

R.S.O. 1960,  
c. 171

Public right  
of passage

43e. Except as provided in this Part, any person may exercise a public right of passage on a road other than a private forest road.

No liability  
for  
damages

43f.—(1) No civil action shall be brought against the Crown or any person in respect of misfeasance, non-feasance or negligence in connection with the construction, maintenance, repair or closing of a road.

- (2) Subsection 1 does not apply to an action based on a <sup>Exception</sup> contract between the parties to the action for the construction, maintenance or use of a road.

43g.—(1) The Minister may designate a road other than <sup>Public forest roads</sup> a private forest road as a public forest road.

- (2) *The Regulations Act* does not apply to a designation <sup>R.S.O. 1960, c. 349, not to apply</sup> made under subsection 1.

43h.—(1) The district forester for the administrative <sup>Closure of public forest roads</sup> district of the Department in which a public forest road is situate may, from time to time in his discretion and for such period or periods as he determines, close the public forest road or part thereof to travel by the public generally or by any class or classes of the public or by the public generally with the exception of persons operating any class or classes of vehicles used for hauling forest products or other products designated by the regulations.

- (2) A closing of a public forest road under subsection 1 <sup>Methods of closure</sup> may be effected by the erection of signs or barricades.

- (3) Where a district forester closes a public forest road <sup>Barricades</sup> or part of a public forest road under subsection 1 by the erection of barricades, he shall cause to be erected at each end of the public forest road or part so closed and at each intersection thereof with any other road a barricade upon which a red or flashing amber light visible for a distance of 500 feet shall be exposed and kept burning or operating continuously from sunset until sunrise, and at such ends and intersections shall cause to be erected a notice that the public forest road is closed.

- (4) Notwithstanding the closure of a public forest road, <sup>Permits</sup> the district forester may grant a permit for travel on the public forest road subject to such terms and conditions as he deems advisable.

- (5) Every person who, without lawful authority, travels <sup>Offence</sup> on a public forest road that has been closed to travel by him under subsection 1 and who has had a reasonable opportunity of knowing that the road has been so closed or who removes or defaces any barricade, light or notice erected thereon by lawful authority is guilty of an offence and on summary conviction is liable to a fine of not more than \$500 and is also liable to the Crown in right of Ontario for any damage or injury occasioned by such wrongful use, removal or defacement.

Partial  
closure

43i. Where the district forester closes a public forest road to the public generally with the exception of persons operating vehicles used for hauling forest products or other products designated by the regulations, sections 45, 52, 53, 54, 55 and 58 of *The Highway Traffic Act* do not apply to the public forest road or to vehicles operated on the public forest road, as the case may be.

R.S.O. 1960,  
c. 172

Private  
forest  
roads

43j.—(1) Except as provided in subsection 2, a private forest road is not open to travel by the public.

Agreements

(2) The Minister may enter into an agreement with a person who occupies a private forest road under the authority of a document issued under this Act or the regulations for opening the private forest road or part thereof to travel by the public generally or by any class or classes of the public as may be agreed upon, and thereupon the private forest road is open to travel by the public generally or by the class or classes of the public agreed upon for such time or times and upon such terms and conditions as are set forth in the agreement, provided that any vehicle used in such travel is registered under *The Highway Traffic Act*.

Idem

(3) Without limiting the generality of subsection 2, an agreement may provide that the cost of constructing, reconstructing or maintaining a private forest road shall be shared in the proportions agreed upon.

Status  
of road

(4) Notwithstanding the use of a private forest road by the public or a class or classes thereof under subsection 2, a private forest road remains a private forest road and is not a highway within the meaning of *The Highway Traffic Act*, but the provisions of *The Loggers' Safety Act, 1962-63* and the regulations made thereunder respecting haul roads shall apply *mutatis mutandis* to the private forest road.

1962-63,  
c. 76

Closure of  
private  
forest  
roads

(5) Where an agreement has been made under subsection 2, the district forester for the administrative district of the Department in which the private forest road is situate may, from time to time in his discretion and for such period or periods as he determines, close the private forest road or part thereof to travel by the public generally or by any class or classes of the public with the exception of persons operating any class or classes of vehicle used for

hauling

hauling forest products or other products designated by the regulations, and thereupon the provisions of section 43*h* apply *mutatis mutandis*.

- 43*k*. The Lieutenant Governor in Council may make Regulations regulations designating products for the purposes of sections 43*h*, 43*i* and 43*j*.

3. Subsection 3 of section 63 of *The Public Lands Act* is repealed. R.S.O. 1960, c. 324, s. 63, subs. 3, repealed

4. The letters patent dated the 1st day of December, 1900, granting to Alvin Griffin, Moses Parker and Stephen R. Wiley as trustees for the Tabernacle Union Chapel the public lands described therein, being composed of part of the south half of the west half of Lot 13 in Concession III in the Township of Houghton in the County of Norfolk, are amended by striking out the habendum which reads: "To have and to hold to the said Trustees and their Successors appointed for the purpose in trust for a site for a Church not to belong to any particular denomination of Christians and to be known as the Tabernacle Union Chapel and to be open to such Orthodox Christian denominations as may be approved by said Trustees: and free from any Conference or Association of Churches" and inserting in lieu thereof the condition: "It is a condition of these letters patent that the land shall be used only for church purposes". Letters patent amended

5. This Act comes into force on the day it receives Royal Assent. Commencement

6. This Act may be cited as *The Public Lands Amendment Act, 1968*. Short title





## CHAPTER 109

## An Act to amend The Public Schools Act

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 12 of section 6 of *The Public Schools Act*, R.S.O. 1960, as amended by subsection 7 of section 2 of *The Public Schools Amendment Act, 1965*, is further amended by striking out <sup>c. 330, s. 6, subs. 12, amended</sup> “subsection 1 of” in the amendment of 1965, so that the subsection shall read as follows:

(12) A public school board may by agreement with <sup>Agreement between boards</sup> another public school board furnish education for the pupils of the other board and for that purpose may charge fees calculated in accordance with section 100a of *The Schools Administration Act*. R.S.O. 1960, c. 361

(2) The said section 6, as amended by section 2 of *The Public Schools Amendment Act, 1962-63*, section 1 of *The Public Schools Amendment Act, 1964*, section 2 of *The Public Schools Amendment Act, 1965* and section 2 of *The Public Schools Amendment Act, 1967* is further amended by adding thereto the following subsection: R.S.O. 1960, c. 330, s. 6, amended

(14) Where a resident pupil of a school division attends <sup>Non-resident fees</sup> a public school in another school division under section 97 of *The Secondary Schools and Boards of Education Act*, the divisional board of which he is a resident pupil shall pay fees to the divisional board that operates the public school attended by the pupil, calculated in accordance with section 100a of *The Schools Administration Act*.

2. Section 13 of *The Public Schools Act*, as re-enacted by section 3 of *The Public Schools Amendment Act, 1964* and <sup>R.S.O. 1960, c. 330, s. 13 (1964, c. 95, s. 3), repealed</sup> amended by section 5 of *The Public Schools Amendment Act, 1965*, section 3 of *The Public Schools Amendment Act, 1966* and section 3 of *The Public Schools Amendment Act, 1967*, is repealed.

R.S.O. 1960,  
c. 330, s. 14  
(1964,  
c. 95, s. 3),  
repealed

**3.** Section 14 of *The Public Schools Act*, as re-enacted by section 3 of *The Public Schools Amendment Act, 1964* and amended by section 6 of *The Public Schools Amendment Act, 1965*, section 4 of *The Public Schools Amendment Act, 1966* and section 4 of *The Public Schools Amendment Act, 1967*, is repealed.

R.S.O. 1960,  
c. 330, s. 39  
(1966, c. 129,  
s. 22),  
subs. 1,  
amended

**4.—(1)** Subsection 1 of section 39 of *The Public Schools Act*, as enacted by section 22 of *The Public Schools Amendment Act, 1966*, is amended by striking out “county, district or” in the second and third lines and in the eighth line.

R.S.O. 1960,  
c. 330, s. 39  
(1966, c. 129,  
s. 22),  
subs. 2,  
amended

**(2)** Subsection 2 of the said section 39 is amended by inserting after “municipalities” in the second line “or has no common boundary with a municipality”, so that the subsection shall read as follows:

Idem

**(2)** Where the improvement district has the same length of boundary with two or more municipalities or has no common boundary with a municipality, it shall, for the purposes of subsection 1, be attached to the municipality having the greatest assessment for public school purposes.

R.S.O. 1960,  
c. 330, s. 40c  
(1964,  
c. 95, s. 6),  
subs. 7,  
amended

**5.** Subsection 7 of section 40c of *The Public Schools Act*, as enacted by section 6 of *The Public Schools Amendment Act, 1964*, is amended by striking out “has the greatest equalized assessment” in the third line and inserting in lieu thereof “is liable for a larger portion of the operating costs of the board of the township school area than any other municipality”, so that the subsection shall read as follows:

Auditor

**(7)** Where a township school area includes two or more municipalities, the auditor of the municipality that is liable for a larger portion of the operating costs of the board of the township school area than any other municipality shall be the auditor of the township school area books.

R.S.O. 1960,  
c. 330, s. 41,  
subs. 1,  
re-enacted

**6.** Subsection 1 of section 41 of *The Public Schools Act* is repealed and the following substituted therefor:

Township  
school areas  
in unor-  
ganized  
territory

**(1)** An inspector may, before the 1st day of July in any year, with the approval of the Minister and the consent of the boards concerned, form into a township school area,

(a) two or more school sections or parts thereof in territory without municipal organization;  
or

(b)

- (b) one or more school sections or parts thereof in territory without municipal organization and one or more improvement districts, with the consent of the board of each improvement district concerned,

and may include any other part of territory without municipal organization therein or decrease or increase the area thereof.

**7.** Subsection 1 of section 58a of *The Public Schools Act*, R.S.O. 1960, c. 330, s. 58a as enacted by section 14 of *The Public Schools Amendment Act, 1961-62*, (1961-62, c. 120, s. 14), subs. 1, is repealed and the following substituted re-enacted therefor:

- (1) The board of a school section that comprises only territory without municipal organization shall exercise for the territory included in the section the powers and duties of a municipal council with respect to, Powers of boards re-levying of rates, etc.

- (a) preparing estimates of the sums required during the year, levying rates, and collecting taxes for public school purposes and, in accordance with the regulations, for community recreation purposes; and

- (b) issuing debentures for public school purposes.

**8.** Clause b of subsection 1 of section 74 of *The Public Schools Act*, as re-enacted by section 20 of *The Public Schools Amendment Act, 1965* and amended by subsection 1 of section 14 of *The Public Schools Amendment Act, 1967*, is further amended by striking out "on or before such time as the council may prescribe" in the third and fourth lines, so that the clause, exclusive of the subclauses, shall read as follows: R.S.O. 1960, c. 330, s. 74, subs. 1, cl. b (1965, c. 109, s. 20), amended

- (b) prepare and submit to the council of each municipality, all or part of which is included in the school section in which the board has jurisdiction, estimates of all sums required during the year for the purposes of the board, and such estimates, submit estimates

. . . . .

**9.**—(1) This Act, except sections 2, 3 and 4, comes into force on the day it receives Royal Assent. Commencement

(2) Sections 2, 3 and 4 come into force on the 1st day of January, 1969. Idem

**10.** This Act may be cited as *The Public Schools Amendment Act, 1968*. Short title



## CHAPTER 110

**An Act to amend  
The Public Service Act, 1961-62**

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *b* of section 4 of *The Public Service Act, 1961-62* <sup>1961-62, c. 121, s. 4, cl. *b*, amended</sup> is amended by adding at the end thereof "except a previously established classification for which a salary range is determined through negotiation under section 19*a* or 19*b*", so that the clause shall read as follows:

- (*b*) recommend to the Lieutenant Governor in Council the salary range for each classification, except a previously established classification for which a salary range is determined through negotiation under section 19*a* or 19*b*.

**2.** Clause *a* of subsection 1 of section 19*a* of *The Public Service Act, 1961-62*, as re-enacted by subsection 1 of section 2 of *The Public Service Amendment Act, 1966*, is amended by <sup>(1966, c. 130, s. 2, subs. 1, cl. *a*, amended</sup> inserting after "Council" in the second line "on the recommendation of the Treasury Board", so that the clause shall read as follows:

- (*a*) three Crown employees appointed by the Lieutenant Governor in Council on the recommendation of the Treasury Board, to be known as the "official side"; and

. . . . .

**3.** Clause *b* of subsection 1 of section 20 of *The Public Service Act, 1961-62* <sup>1961-62, c. 121, s. 20, subs. 1, cl. *b*, amended</sup> is amended by adding at the end thereof "except salaries for previously established classifications for which salaries are determined through negotiation under section 19*a* or 19*b*", so that the clause shall read as follows:

- (*b*)



- (b) prescribing classifications for positions, including qualifications, duties and salaries, except salaries for previously established classifications for which salaries are determined through negotiation under section 19a or 19b.

Commence-  
ment

**4.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**5.** This Act may be cited as *The Public Service Amendment Act, 1968*.

## CHAPTER 111

## An Act to amend The Race Tracks Tax Act

*Assented to April 11th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Race Tracks Tax Act* is repealed.

R.S.O. 1960,  
c. 341, s. 2,  
repealed

- 2.—(1) Subsection 1 of section 3 of *The Race Tracks Tax Act* is amended by striking out "5 per cent or such other rate as the Lieutenant Governor in Council prescribes" in the third and fourth lines and inserting in lieu thereof "7 per cent", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 341, s. 3,  
subs. 1,  
amended

- (1) Every holder of a winning ticket issued under the pari-mutuel system upon a race run at a race meeting shall pay a tax at the rate of 7 per cent upon the amount that would be payable to him if no percentage were deducted or retained by the person holding the race meeting in respect of such race.

Tax on  
bets

- (2) Subsection 2 of the said section 3 is amended by striking out "5 per cent or such other rate as is prescribed" in the fourth line and inserting in lieu thereof "7 per cent", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 341, s. 3,  
subs. 2,  
amended

- (2) The tax shall be collected by the person holding the race meeting as the agent of the Treasurer by deducting from the total amount bet or wagered upon such race, a sum equal to 7 per cent of the amount so bet or wagered, and such sum shall be paid over to the Treasurer at the close of each day's racing.

Collection

3. This Act shall be deemed to have come into force on the 13th day of March, 1968.

Commence-  
ment

4. This Act may be cited as *The Race Tracks Tax Amendment Act, 1968*.

Short title



## CHAPTER 112

**An Act to amend The Railway Fire Charge Act**

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 3 of *The Railway Fire Charge Act* is amended by striking out "\$15" in the sixth line and inserting in lieu thereof "\$30", so that the subsection shall read as follows: R.S.O. 1960,  
c. 343, s. 3,  
subs. 1,  
amended

- (1) Subject to section 2, the owner or tenant of any railway lands shall pay to the Minister annually Annual  
charge for  
protection for the uses of Ontario and for the purpose of defraying the expenses of protecting the property, rights and interest of such owner or tenant against fire, for every square mile or fraction thereof of such railway lands a sum not exceeding \$30 per annum as prescribed by the Lieutenant Governor in Council from time to time.

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The Railway Fire Charge Amendment Act, 1968*. Short title





## CHAPTER 113

## An Act to amend The Railways Act

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 287 of *The Railways Act* is repealed and the following substituted therefor:

R.S.O. 1950,  
c. 331, s. 287,  
subs. 1,  
re-enacted

(1) Every person who without authority therefor from the company enters upon or trespasses upon the yard or track of the company, except where the same is laid across or along a highway, is guilty of an offence and on summary conviction is liable to a penalty of not more than \$20.

Trespass  
by foot

(1a) Every person who without authority therefor from the company operates a vehicle upon the yard or right-of-way of the company, except where the same is laid across or along a highway, is guilty of an offence and on summary conviction is liable to a penalty of not more than \$100.

Trespass  
by vehicle

2. This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

3. This Act may be cited as *The Railways Amendment Act, 1968*.

Short title



## CHAPTER 114

## An Act respecting the Township of Red Lake

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the Township of Red Lake may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of a debenture or debentures in a principal amount not exceeding \$131,600, payable in not more than twenty years, for the purpose of paying the cost of the addition of four classrooms to the Red Lake District High School. Debenture  
by-law  
authorized

2. Sections 58, 59 and 60 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 and the debenture or debentures to be issued thereunder. Applica-  
tion of  
R.S.O. 1960,  
c. 274

3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 31 of *The Secondary Schools and Boards of Education Act* and section 64 of *The Ontario Municipal Board Act* authorizing The Corporation of the Township of Red Lake and the Red Lake District High School Board to proceed with the undertaking referred to in section 1 and authorizing The Corporation of the Township of Red Lake to issue a debenture or debentures under section 1. By-law  
deemed  
approved  
by O.M.B.  
R.S.O. 1960,  
cc. 274, 362

4. This Act comes into force on the day it receives Royal Assent. Commence-  
ment

5. This Act may be cited as *The Township of Red Lake Act, 1968*. Short title



## CHAPTER 115

**An Act to establish  
The Regional Municipality of Ottawa-Carleton**

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## INTERPRETATION

**1. In this Act,**

- (a) "area municipality" means the municipality or cor-<sup>Interpre-</sup>poration of the Township of Cumberland, the City of Eastview, the Township of Fitzroy, the Township of Gloucester, the Township of Goulbourn, the Township of Huntley, the Township of March, the Township of Marlborough, the Township of Nepean, the Township of North Gower, the Township of Osgoode, the City of Ottawa, the Village of Richmond, the Village of Rockcliffe Park, the Village of Stittsville, or the Township of Torbolton;
- (b) "bridge" means a public bridge, and includes a bridge forming part of a highway or on, over, under or across which a highway passes;
- (c) "chairman" means the chairman of the Regional Council;
- (d) "debt" includes any obligation for the payment of money;
- (e) "Department" means the Department of Municipal Affairs;
- (f) "highway" and "road" means a common and public highway or any part thereof, and include a street, bridge, and any other structure incidental thereto or any part thereof;

(g)



- (g) "land" includes lands, tenements, and hereditaments, and any other estate or interest therein, and any right or easement affecting them, and land covered with water, and includes any buildings or improvements on land;
- (h) "local board" means any school board, public utility commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the Regional Corporation or of an area municipality or of two or more area municipalities or parts thereof;
- (i) "Minister" means the Minister of Municipal Affairs;
- (j) "money by-law" means a by-law for contracting a debt or obligation or for borrowing money other than a by-law passed under section 112;
- (k) "Municipal Board" means the Ontario Municipal Board;
- (l) "Regional Area" means the area from time to time included within the municipalities of the Township of Cumberland, the City of Eastview, the Township of Fitzroy, the Township of Gloucester, the Township of Goulbourn, the Township of Huntley, the Township of March, the Township of Marlborough, the Township of Nepean, the Township of North Gower, the Township of Osgoode, the City of Ottawa, the Village of Richmond, the Village of Rockcliffe Park, the Village of Stittsville, and the Township of Torbolton;
- (m) "Regional Corporation" means The Regional Municipality of Ottawa-Carleton;
- (n) "Regional Council" means the council of the Regional Corporation;
- (o) "regional road" means a road forming part of the regional road system established under Part V;
- (p) "roadway" means that part of the highway designed or intended for use by vehicular traffic;

(g) "United Counties" means the municipality or corporation of the United Counties of Prescott and Russell;

(r) "waterworks" means buildings, structures, plant machinery, equipment and appurtenances, devices, conduits, intakes and outlets and underground construction and installations and other works designed for the production, treatment and storage of water and includes lands appropriated for such purposes and uses.

## PART I

### INCORPORATION AND COUNCIL

**2.**—(1) On the 15th day of June, 1968, the inhabitants of the Regional Area are hereby constituted a body corporate under the name of "The Regional Municipality of Ottawa-Carleton".

(2) The Regional Corporation shall be deemed to be a municipality for the purposes of *The Department of Municipal Affairs Act* and *The Ontario Municipal Board Act*.

Regional Corporation constituted  
Deemed municipality under R.S.O. 1960, cc. 98, 274

(3) On and after the 1st day of January, 1969, the Regional Area shall be deemed to be a county for all judicial purposes.

Regional Area deemed county for judicial purposes

**3.**—(1) The powers of the Regional Corporation shall be exercised by the Regional Council and, except where otherwise provided, the jurisdiction of the Regional Council is confined to the Regional Area.

Regional Council to exercise corporate powers

(2) Except where otherwise provided, the powers of the Regional Council shall be exercised by by-law.

By-laws

(3) A by-law passed by the Regional Council in the exercise of any of its powers and in good faith shall not be open to question, or be quashed, set aside or declared invalid either wholly or partly, on account of the unreasonableness or supposed unreasonableness of its provisions or any of them.

Not to be quashed as unreasonable

**4.**—(1) The Regional Council shall consist of thirty-one members composed of a chairman and,

Composition of Regional Council

(a) the head of council of the Township of Cumberland, the City of Eastview, the Township of Gloucester, the Township of Nepean, the Township of Osgoode, the City of Ottawa, and the Village of Rockcliffe Park;

(b)

- (b) the four members of the board of control of the City of Ottawa;
- (c) the alderman in each of the eleven wards of the City of Ottawa who at the general municipal election next preceding the day the Regional Council is organized in any year received the highest number of votes in such ward;
- (d) an alderman of the City of Eastview elected by general vote who at the general municipal election next preceding the day the Regional Council is organized in any year received the highest number of votes or if no alderman was elected by general vote then an alderman appointed by the City of Eastview;
- (e) the deputy reeve of the Township of Gloucester;
- (f) subject to subsection 8, two deputy reeves of the Township of Nepean;
- (g) the head of either the council of the Township of Fitzroy or the Township of Torbolton elected by a majority vote at a joint meeting of such councils;
- (h) the head of either the council of the Township of North Gower or the Township of Marlborough elected by a majority vote at a joint meeting of such councils;
- (i) the head of either the council of the Township of Huntley or the Township of March elected by a majority vote at a joint meeting of such councils; and
- (j) the head of one of the councils of the Village of Richmond, the Village of Stittsville or the Township of Goulbourn elected by a majority vote at a joint meeting of such councils.

Appoint-  
ment of  
chairman by  
Lieutenant  
Governor  
in Council

(2) The chairman shall be appointed by the Lieutenant Governor in Council before the 15th day of June, 1968, to hold office during pleasure for the years 1968 to 1972 inclusive and until his successor is elected or appointed in accordance with this Act, and the chairman appointed under this subsection shall be paid out of the Consolidated Revenue Fund such remuneration as the Lieutenant Governor in Council may determine.

Triennial  
appoint-  
ment of  
chairman

(3) At the first meeting of the Regional Council in the year 1973 and in every third year thereafter at which a quorum is present, the Regional Council shall organize as a council and elect as chairman one of the members of the Regional Council,

or any other person, to hold office for that year and the two following years and until his successor is appointed or elected in accordance with this Act.

(4) Where a member of the council of an area municipality becomes chairman, he shall be deemed to have resigned as a member of such council, and his seat on such council thereby becomes vacant. <sup>Resignation from area council</sup>

(5) If at the first meeting in the year 1973, and any subsequent first meeting, a chairman is not elected, the presiding member may adjourn the meeting from time to time, and, if a chairman is not elected at any adjourned meeting held within one week after the first meeting, the Lieutenant Governor in Council shall appoint a chairman to hold office for that year and the two following years and until his successor is elected or appointed in accordance with this Act. <sup>Failure to elect chairman</sup>

(6) If after any general municipal election, by reason of acclamation or an equality of votes or for any other reason, it cannot be determined which alderman or councillor of an area municipality is entitled to be a member of the Regional Council, the matter shall be determined by resolution of the council of the area municipality. <sup>Acclamation or equality of votes</sup>

(7) Where the councils of two municipalities required by this section to elect a member of the Regional Council by joint meeting in the year 1970 and in every third year thereafter, fail to so elect a member by the 15th day of January in that year, then the head of the council of the municipality having the lowest number of electors shall be the member of the Regional Council for that year, and, if by the end of that year, the councils again fail to elect a member of the Regional Council, the head of the council of the municipality having the highest number of electors shall be the member of the Regional Council for the immediately succeeding year and thereafter on an annual alternating basis until agreement has been reached on the election of a member of the Regional Council in accordance with this section; and where the councils of three joint municipalities required by this section to elect a member of the Regional Council by joint meeting in the year 1970 and in every third year thereafter, fail to so elect a member of the Regional Council before the 15th day of January in that year, the head of the council of the municipality having the lowest number of electors shall be the member of the Regional Council for the immediately succeeding year and if by the end of that year the councils again fail to elect a member to the Regional Council, the head of the council of the municipality having the second lowest number of electors shall be the member of the Regional Council for the immediately succeeding year, and if by the end of that



year the councils again fail to elect a member to the Regional Council, the head of the council of the municipality having the highest number of electors shall be the member of the Regional Council for the immediately succeeding year, and in the event that the councils fail to elect a member of the Regional Council before the 1st day of July, 1968, the head of the council of the municipality having the higher or highest number of electors shall be the member of the Regional Council for the years 1968 and 1969.

Representa-  
tion for  
years  
1968, 1969

(8) For the years 1968 and 1969, the following area municipalities, in addition to the head of the council, shall be represented on the Regional Council by the following persons,

- (a) a member of the council of the City of Eastview appointed by the council; and
- (b) the deputy reeve and one councillor of the Township of Nepean appointed by the council.

Qualifica-  
tion for  
member-  
ship

(9) The members of the Regional Council, other than the chairman, hold office only while they hold the offices that entitled them to such membership or appointment to such membership and until their successors take office.

Municipal  
election,  
1968

5.—(1) In every area municipality that according to its by-law is required to hold an election in the year 1968, notwithstanding such by-law,

- (a) the meetings of electors for the nomination of candidates for council or for any local board, any members of which are to be elected by ballot by the electors shall be held on the 18th day of November, 1968;
- (b) the day for polling shall be the 2nd day of December, 1968, and the polls shall be open between the hours of 10 o'clock in the morning and 8 o'clock in the evening; and
- (c) any person elected at such election shall hold office for a period of one year.

Meetings  
of electors  
for nomina-  
tion of  
candidates

(2) In every area municipality, meetings of electors for the nomination of candidates for council and for any local board, any members of which are to be elected by ballot by the electors, shall be held in the year 1969 and in every third year thereafter on the second Monday preceding the first Monday in December.

Polling day

(3) The day for polling in the year 1969 and in every third year thereafter shall be the first Monday in December, and the polls shall be open between the hours of 10 o'clock in the morning and 8 o'clock in the evening.



(4) The council of every area municipality, before the 1st day of November in the year 1969 and in every third year thereafter, shall pass a by-law naming the place or places and time or times at which the nomination meeting or meetings shall be held.

(5) The members of the council of each area municipality and such local boards shall hold office for a three-year term and until their successors are elected and the new council or board is organized.

(6) Each area municipality shall be deemed to have passed a by-law providing for a resident voters' list under *The Municipal Franchise Extension Act*, and the assent of the electors as required therein shall be deemed to have been received.

6.—(1) No area municipality which has or is entitled to have a deputy reeve, except the townships of Gloucester and Nepean, shall, notwithstanding the provisions of any Act, have a deputy reeve on or after the 1st day of January, 1970.

(2) On and after the 1st day of January, 1970, the council of the Township of Nepean shall consist of a reeve, two deputy Reeves and two councillors, all to be elected by general vote.

7. The council of each area municipality shall continue to be composed of the same number of members as if this Act had not been passed.

8.—(1) The first meeting of the Regional Council shall be held on or after the 15th day of June, 1968, at such date, time and place as the chairman may determine, and the chairman shall give to each person entitled to be a member of the Regional Council at least forty-eight hours notice of the date, time and place of the meeting and shall preside at the meeting.

(2) Notwithstanding any other general or special Act, the first meeting of the council of each area municipality in the year 1969 and in the year 1970 and in every third year thereafter shall be held not later than the 8th day of January.

(3) The first meeting of the Regional Council in the year 1969 and in the year 1970 and in every third year thereafter shall be held after the councils of the area municipalities have held their first meetings in the year, but in any event not later than the 15th day of January on such date and at such time and place as may be fixed by by-law of the Regional Council.

(4) A person entitled to be a member of the Regional Council in accordance with section 4 shall not take his seat until he has filed with the person presiding at a meeting a

certificate under the hand of the clerk of the area municipality which he represents and under the seal of the area municipality certifying that he is entitled to be a member under such section, and, in the case of a member representing two or more area municipalities, the clerk of each area municipality represented by that member shall, in addition, certify that the member has been so appointed by joint meeting of such area municipalities or is entitled to be a member under the provisions of this Act.

Oath of  
allegiance,  
declaration  
of qualifica-  
tion

(5) The chairman, before taking his seat, shall take an oath of allegiance (Form 1) and a declaration of qualification (Form 2).

Declaration  
of office  
R.S.O. 1960,  
c. 249

(6) No business shall be proceeded with at the first meeting until after the declarations of office in Form 20 of *The Municipal Act* have been made by all members who present themselves for that purpose, and each such declaration shall include a declaration that the member has not by himself or a partner, directly or indirectly, any interest in any contract with or on behalf of the Regional Corporation or any local board thereof.

When  
Council  
deemed  
organized

(7) The Regional Council shall be deemed to be organized when the declarations of office have been made by a sufficient number of members to form a quorum as provided for in subsection 1 of section 10.

Place of  
meeting

9. Subject to section 8, all meetings of the Regional Council shall be held at such place within the Regional Area and at such times as the Regional Council from time to time appoints.

Quorum,  
voting

10.—(1) Sixteen members of the Regional Council representing at least six area municipalities are necessary to form a quorum and the concurring votes of a majority of members present are necessary to carry any resolution or other measure.

One vote

(2) Subject to subsection 3, each member of the Regional Council has one vote only.

Chairman's  
vote

(3) The chairman does not have a vote except in the event of an equality of votes.

Vacancies,  
chairman

11.—(1) When a vacancy occurs in the office of a chairman who has been appointed by the Lieutenant Governor in Council, some person shall be appointed by the Lieutenant Governor in Council to hold office as chairman for the remainder of the term of his predecessor.

Idem

(2) When a vacancy occurs in the office of a chairman who has been elected under subsection 3 of section 4, the Regional Council shall, at a general or special meeting to be held within

twenty days after the vacancy occurs, elect a chairman who may be one of the members of the Regional Council, or any other person, to hold office for the remainder of the term of his predecessor.

(3) If the Regional Council fails to elect a chairman within <sup>Idem</sup> twenty days as required by subsection 2, the Lieutenant Governor in Council may appoint a person as chairman to hold office for the remainder of the term of his predecessor.

(4) When a vacancy occurs in the office of a member other <sup>Other members</sup> than the chairman, the council of the area municipality of which he was a member, or in the case of a member representing two or more municipalities, the councils of such municipalities, shall within thirty days after the vacancy occurs obtain a successor in accordance with the qualifications provided for in section 4 to hold office for the remainder of the term of his predecessor.

(5) The seat of a member of the Regional Council becomes <sup>Vacancy due to absence from meetings</sup> vacant if he absents himself continuously from the meetings of the Regional Council during a period of three months without being authorized so to do by a resolution of the Regional Council entered upon its minutes, and the Regional Council shall forthwith declare the seat to be vacant.

**12.**—(1) Members of the Regional Council representing <sup>Remuneration</sup> municipalities may be paid such annual or other remuneration as the Regional Council may determine.

(2) For the year 1973 and each year thereafter, the chair- <sup>Idem</sup> man may be paid such annual salary and other remuneration as the Regional Council may determine.

**13.**—(1) The Regional Council may by by-law approved <sup>Executive Committee</sup> by a two-thirds vote of all members of the Regional Council provide for the appointment of an Executive Committee to be composed of a chairman and four, six, or eight other members of the Regional Council, not more than half of whom shall be members of the council of the City of Ottawa, and the chairman of the Regional Council shall be the chairman of the Executive Committee and entitled to vote as a member thereof.

(2) The Executive Committee shall have all the powers and <sup>Powers</sup> duties of a board of control under subsection 1 of section 206 of *The Municipal Act*, and subsections 1a to 15, 17 and 19 of <sup>R.S.O. 1960, c. 249</sup> that section apply *mutatis mutandis*.

Remunera-  
tion

(3) Each member of the Executive Committee, except the chairman, in addition to his remuneration as a member of the Regional Council shall receive such remuneration as may be authorized by the Regional Council.

Committees  
of council

**14.**—(1) The Regional Council may from time to time establish such standing or other committees, and assign to them such duties as it deems expedient.

Remunera-  
tion of  
chairman

(2) The Regional Council may by by-law provide for paying an annual allowance to each chairman of a standing committee, except where such chairman is also the chairman of the Regional Council.

Procedural  
by-laws

**15.** The Regional Council may pass by-laws for governing the proceedings of the Regional Council and any of its committees, the conduct of its members and the calling of meetings.

Head of  
Council

**16.** The chairman is the head of the Regional Council and the Chief Executive Officer of the Regional Corporation.

Acting  
chairman

**17.** When the chairman is absent from the Regional Area or absent through illness, or refuses to act, the Regional Council may by resolution appoint one of its members to act in his place and stead, and such member shall have and may exercise all the rights, powers and authority of the chairman during such absence or refusal to act.

Applica-  
tion of  
R.S.O. 1960,  
c. 249

**18.**—(1) Sections 192, 193, 195, 197, 198, 253, 275 to 280, and 406a of *The Municipal Act* apply *mutatis mutandis* to the Regional Corporation.

## Idem

(2) Sections 190, 198a, 198b, 199 and 244 of *The Municipal Act* apply *mutatis mutandis* to the Regional Council and to every local board of the Regional Council.

Appoint-  
ment of  
clerk and  
his duties

**19.**—(1) The Regional Council shall appoint a clerk, whose duty it is,

- (a) to record truly in a book, without note or comment, all resolutions, decisions and other proceedings of the Regional Council;
- (b) if required by any member present, to record the name and vote of every member voting on any matter or question;
- (c) to keep in his office, or in the place appointed for that purpose, the originals of all by-laws and of all minutes of the proceedings of the Regional Council and its committees; and

(d)



- (d) to perform such other duties as may be assigned to him by the Regional Council.

(2) The Regional Council may appoint a deputy clerk who shall have all the powers and duties of the clerk. <sup>Deputy clerk</sup>

(3) When the office of clerk is vacant or the clerk is unable to carry on his duties, through illness or otherwise, the Regional Council may appoint an acting clerk *pro tempore* who shall have all the powers and duties of the clerk. <sup>Acting clerk</sup>

(4) The chairman appointed under subsection 2 of section 4 shall appoint an acting clerk who shall have all the powers and duties of the clerk for the purposes of the first meeting of the Regional Council in the year 1968 and thereafter until the Regional Council appoints a clerk or an acting clerk under this section. <sup>Acting clerk, first meeting 1968</sup>

**20.—**(1) Any person may, at all reasonable hours, inspect any of the records, books or documents in the possession or under the control of the clerk, except interdepartmental correspondence and reports of officials of any department or of solicitors for the Regional Corporation made to the Regional Council or any of its committees, and the clerk within a reasonable time shall furnish copies of them or extracts therefrom certified under his hand and the seal of the Regional Corporation to any applicant on payment at the rate of 15 cents for every 100 words or at such lower rate as the Regional Council may fix. <sup>Minutes open to inspection, and copies to be furnished</sup>

(2) The clerk shall keep an index book in which he shall enter the number and date of all by-laws passed by the Regional Council that affect land or the use thereof in the Regional Area but do not directly affect the title to land. <sup>Index of by-laws affecting land</sup>

(3) A copy of any record, book or document in the possession or under the control of the clerk, purporting to be certified under his hand and the seal of the Regional Corporation, may be filed and used in any court in lieu of the original, and shall be received in evidence without proof of the seal or of the signature or official character of the person appearing to have signed the same, and without further proof, unless the court otherwise directs. <sup>Copies certified by clerk to be receivable in evidence</sup>

**21.—**(1) The Regional Council shall appoint a treasurer who shall keep the books, records and accounts, and prepare the annual financial statements of the Regional Corporation and preserve and file all accounts of the Regional Corporation and who shall perform such other duties as may be assigned to him by the Regional Council. <sup>Appointment of treasurer</sup>



Deputy  
treasurer

(2) The Regional Council may appoint a deputy treasurer who shall have all the powers and duties of the treasurer.

Acting  
treasurer

(3) When the office of treasurer is vacant or the treasurer is unable to carry on his duties, through illness or otherwise, the Regional Council may appoint an acting treasurer *pro tempore* who shall have all the powers and duties of the treasurer.

Receipt and  
disburse-  
ment  
of money

**22.**—(1) The treasurer shall receive and safely keep all money of the Regional Corporation, and shall pay out money to such persons and in such manner as the law of Ontario and the by-laws or resolutions of the Regional Council direct, provided that every cheque issued by the treasurer shall be signed by the treasurer and by some other person or persons designated for the purpose by by-law or resolution of the Regional Council, and any such other person before signing a cheque shall satisfy himself that the issue thereof is authorized.

Signing of  
cheques

(2) Notwithstanding subsection 1, the Regional Council may by by-law provide that the signature of the treasurer on cheques may be stamped, lithographed or engraved, or may by by-law designate one or more persons to sign cheques in lieu of the treasurer.

Petty cash  
fund

(3) The Regional Council may by by-law provide that the treasurer may establish and maintain a petty cash fund of an amount of money sufficient to make change and to pay small accounts, subject to such terms and conditions as the by-law may provide.

Member of  
Council,  
when  
he may be  
paid for  
work

(4) Except where otherwise expressly provided by this Act, a member of the Regional Council shall not receive any money from the treasurer for any work or service performed or to be performed.

Treasurer's  
liability  
limited

(5) The treasurer is not liable for money paid by him in accordance with a by-law or resolution of the Regional Council, unless another disposition of it is expressly provided for by statute.

Bank  
accounts

**23.** Subject to subsection 3 of section 22, the treasurer shall,

- (a) open an account or accounts in the name of the Regional Corporation in such of the chartered banks of Canada or at such other place of deposit as may be approved by the Regional Council;
- (b) deposit all money received by him on account of the Regional Corporation, and no other money, to the credit of such account or accounts, and no other account; and

(c)

- (c) keep the money of the Regional Corporation entirely separate from his own money and from that of any other person,

and, notwithstanding subsection 1 of section 22, the Regional Council shall not by by-law or resolution direct any variance from the provisions of this section, nor shall the treasurer vary from such provisions.

**24.**—(1) The treasurer shall prepare and submit to the Regional Council, monthly, a statement of the money at the credit of the Regional Corporation. <sup>Monthly statement by treasurer</sup>

(2) Where the treasurer is removed from office or absconds, the Regional Council shall forthwith give notice to his sureties. <sup>Notice to sureties</sup>

**25.**—(1) The Regional Council shall by by-law appoint one or more auditors who shall be persons licensed by the Department as municipal auditors and who shall hold office during good behaviour and be removable for cause upon the vote of two-thirds of the members of the Regional Council, and the auditor or auditors so appointed shall audit the accounts and transactions of the Regional Corporation and of every local board of the Regional Corporation. <sup>Appointment of auditors</sup>

(2) Where an auditor audits the accounts and transactions of a local board, the cost thereof shall be paid by the Regional Corporation and charged back to the local board, and, in the event of a dispute as to the amount of the cost, the Department may upon application finally determine the amount thereof. <sup>Cost of audit</sup>

(3) No person shall be appointed as an auditor of the Regional Corporation who is or during the preceding year was a member of the Regional Council or of the council of an area municipality or of any local board the accounts and transactions of which it would as auditor be his duty to audit, or who has or during the preceding year had any direct or indirect interest in any contract with the Regional Corporation or an area municipality or any such local board, or any employment with any of them other than as an auditor. <sup>Disqualification of auditors</sup>

(4) An auditor shall perform such duties as are prescribed by the Department, and also such duties as may be required by the Regional Council or any local board of the Regional Corporation that do not conflict with the duties prescribed by the Department. <sup>Duties of auditors</sup>

(5) The Regional Council may provide that all accounts shall be audited before payment. <sup>Audit of accounts before payment</sup>

Applica-  
tion of  
R.S.O. 1960,  
c. 249

**26.**—(1) Sections 217, 223, 223*a*, 230, 234 and 236, subsections 4 and 5 of section 238, sections 239, 240 and 248*c* and paragraphs 58, 59, 60, 61 and 62 of section 377 of *The Municipal Act* apply *mutatis mutandis* to the Regional Corporation.

Pensions

(2) Where the Regional Corporation or a local board thereof employs a person theretofore employed by an area municipality or local board thereof or by the former County of Carleton, the Regional Corporation or local board thereof shall be deemed to have elected to participate in the Ontario Municipal Employees Retirement System on the day this Act comes into force in respect of the employee if such employee was a member of the Ontario Municipal Employees Retirement System on the day immediately preceding his employment with the Regional Corporation or local board thereof and such employee shall have uninterrupted membership in the Ontario Municipal Employees Retirement System.

Idem

1961-62,  
c. 97

(3) Where the Regional Corporation or a local board thereof employs a person theretofore employed by an area municipality or a local board thereof, the employee, if he elects in writing, shall be deemed to remain an employee of the area municipality or a local board thereof for the purposes of a supplementary agreement under *The Ontario Municipal Employees Retirement System Act, 1961-62* or any approved pension plan of such area municipality or local board thereof to which the employee was entitled to make contributions and his employment by and service with the Regional Corporation or a local board thereof shall be considered by the respective area municipality or local board thereof to be employment by and service with such area municipality or local board thereof for the purposes of determining eligibility for any accrued benefits under the supplementary agreement, or the approved pension plan of the area municipality or local board thereof.

Idem

(4) On the election of the employee under subsection 3, the Regional Corporation or local board thereof shall deduct from the remuneration of the employee the amount required in accordance with the provisions of the supplementary agreement or the approved pension plan of the area municipality or local board thereof and shall pay in instalments to such area municipality or local board the amount so deducted together with the future service contributions payable under the supplementary agreement or the plan by the area municipality or local board.

Sick leave  
credits

(5) Where the Regional Corporation or local board thereof employs a person theretofore employed by an area municipality or local board thereof or by the former County of



Carleton or a local board thereof or a suburban roads commission, the employee shall be deemed to remain an employee of the area municipality or local board thereof or of the former County of Carleton for the purposes of any sick leave credit plan of the area municipality, local board thereof or the former County of Carleton until the Regional Corporation or local board thereof has established a sick leave credit plan for its employees, and the employees are entitled to receive such benefits from the Regional Corporation, whereupon the Regional Corporation or local board thereof shall place to the credit of the employee the sick leave credits standing to his credit in the plan of the area municipality or local board thereof or the former County of Carleton.

(6) Where the Regional Corporation or local board thereof employs a person theretofore employed by an area municipality or local board thereof or by the former County of Carleton or a local board thereof or a suburban roads commission, the Regional Corporation or local board thereof shall, during the first year of his employment by the Regional Corporation or local board thereof, provide for such employee's holidays with pay equivalent to those to which he would have been entitled if he had remained in the employment of the area municipality or local board thereof or the former County of Carleton. <sup>Holiday provisions</sup>

(7) The Regional Council shall offer to employ every person who, on the 1st day of May, 1968, is employed by the County of Carleton or by any suburban roads commission or health unit in the County of Carleton or in any undertaking of any area municipality or local board that is assumed by the Regional Corporation under this Act. <sup>Offer of continuation of employment</sup>

(8) Any person who accepts employment under subsection 7 shall be guaranteed a salary not less than he was receiving on the 1st day of April, 1968, irrespective of any retroactive salary increases, and such salary shall be guaranteed up to and including the 31st day of December, 1969. <sup>Guarantee of salary</sup>

(9) The Regional Corporation shall be deemed to be a municipality for the purposes of *The Ontario Municipal Employees Retirement System Act, 1961-62* and a person who was employed by an area municipality or a local board thereof or by a county or by a suburban roads commission or health unit before the 1st day of May, 1968, and who is employed by the Regional Corporation or a local board thereof without intervening employment shall not be deemed to be a person who enters the employ of an employer within the meaning of clause a of subsection 1 of section 8 of *The Ontario Municipal Employees Retirement System Act, 1961-62*. <sup>Application of 1961-62, c. 97</sup>

Commence-  
ment of  
Part

**27.** This Part comes into force on the day this Act receives Royal Assent.

## PART II

### ASSESSMENT

Appoint-  
ment of  
assessment  
commis-  
sioner

**28.**—(1) The Regional Council shall appoint an assessment commissioner and may appoint as many deputy assessment commissioners and assessors as may be deemed necessary to carry out the duties of assessors in all area municipalities.

Appoint-  
ment of  
assistants

(2) An assessment commissioner appointed under this section may employ such assistants and other staff for the performance of his duties as may be authorized by the Regional Council.

Jurisdiction  
of commis-  
sioner

(3) The assessment commissioner shall, with respect to the deputy assessment commissioners and assessors, have control and charge over the exercise by them of their powers and over the performance by them of their duties in all the area municipalities.

Idem

(4) The assessment commissioner may assign to a deputy assessment commissioner or an assessor the area municipality or area municipalities, or part or parts thereof, within which he is to act.

Assessment  
officials,  
deemed  
officials of  
each area  
municipi-  
pality

**29.**—(1) The assessment commissioner and every deputy assessment commissioner and every assessor appointed by the Regional Council shall be deemed for the purposes of this and every other Act to be respectively the assessment commissioner, a deputy assessment commissioner and an assessor of each area municipality.

No local  
assessors

(2) No area municipality shall, after the 31st day of December, 1968, appoint or continue to employ an assessment commissioner or assessors or constitute or continue a board of assessors.

Office  
accommoda-  
tion and  
supplies

**30.** Subject to section 31, the Regional Corporation shall provide and pay for all office accommodation, supplies, stationery and equipment, and shall employ such staff as may be necessary for the performance of the duties of assessors in the Regional Area.

Idem

**31.** At the request of the Regional Council, each area municipality,

(a) shall provide, at such rent as may be agreed upon, at least as much office accommodation for the assessment commissioner, deputy assessment commissioners, if any, assessors and staff as was being

provided



provided by the area municipality for assessment purposes on the 1st day of May, 1968;

- (b) shall transfer to the Regional Corporation without compensation all mechanical and other equipment used exclusively for the purpose of assessment in the area municipality on the 1st day of May, 1968;
- (c) shall make available to the assessment commissioner, on such terms as may be agreed upon, all mechanical and other equipment the use of which was shared by the assessment department and any other department or departments of the municipality on the 1st day of May, 1968, on the same terms and to the same extent as the assessment department used the equipment before the 1st day of May, 1968.

**32.** Every assessment commissioner, every assessor and every other officer or servant of an area municipality shall, at the request of the assessment commissioner of the Regional Corporation, turn over to such assessment commissioner all books, records and documents relating to the work of the assessment department of the area municipality. <sup>Books and records, etc.</sup>

**33.** Section 130 of *The Assessment Act* does not apply in any area municipality after the 31st day of December, 1968. <sup>R.S.O. 1960, c. 23, s. 130, not to apply</sup>

**34.—(1)** The Regional Council shall constitute by by-law one or more courts of revision for each area municipality. <sup>Courts of revision</sup>

(2) Each such court of revision shall consist of one or three members, as the by-law may provide, and each member of a court of revision shall be appointed by by-law and shall hold office during pleasure of the Regional Council. <sup>Members</sup>

(3) A member of a court of revision constituted under subsection 1 for one area municipality may also be appointed a member of a court of revision constituted for one or more other area municipalities. <sup>Idem</sup>

(4) No person who is or during the preceding year was, <sup>Disqualifications as members</sup>

- (a) a member of the council of an area municipality or of the Regional Council; or
- (b) an officer or employee, other than a member of a court of revision, of an area municipality or of the Regional Corporation,

may be appointed or hold office as a member of a court of revision constituted under this section.

## Quorum

(5) Where a court of revision consists of three members, two members are a quorum.

## Remuneration

(6) Each member of a court of revision shall be paid such sum for his services as the Regional Council may by by-law provide.

No area municipality to constitute separate court of revision  
R.S.O. 1960, c. 23

(7) A court or courts of revision constituted for an area municipality under this section shall be deemed for the purposes of this and every other Act to be a court or courts of revision for the area municipality constituted in accordance with *The Assessment Act* and no area municipality shall constitute or continue a court or courts of revision under *The Assessment Act* or any special Act after the 31st day of December, 1968.

## Idem

(8) A court or courts of revision constituted for an area municipality under this section shall be deemed to be the court or courts of revision constituted for the area municipality for the purposes of *The Local Improvement Act*.

R.S.O. 1960, c. 223

## Appeal rights

R.S.O. 1960, c. 23

(9) All rights of appeal conferred by *The Assessment Act* upon a person assessed in an area municipality may be exercised by such area municipality, or by a person designated by resolution of the council of such area municipality, with respect to an assessment in any other area municipality and with respect to the decision of a court of revision, county judge or the Municipal Board on any appeal with respect to such assessment, and, notwithstanding anything in *The Assessment Act*, notice of appeal to the court of revision may be given by such area municipality or by such designated person within twenty-one days after the day upon which the assessment roll with respect to such assessment is returned.

Appeals in other area municipalities

(10) Where an appeal is filed in respect of an assessment of land in an area municipality, the area municipality shall be given notice of such appeal by the assessment commissioner and is entitled to be heard by the court of revision, county judge, Municipal Board or any court.

Application of R.S.O. 1960, c. 23, s. 56

**35.** Section 56 of *The Assessment Act* applies in each area municipality, but for the purposes of that section the Regional Council shall be deemed to be the council of each area municipality.

Application of R.S.O. 1960, c. 23, generally

**36.** Except as otherwise provided in this Act, all the provisions of *The Assessment Act* apply in each area municipality.

**37.** For the purposes of sections 9, 10, 11, 12, 20 and 22 of *The Assessment Act*, each area municipality shall be deemed to be a city having a population of not less than 100,000.

Area municipality deemed to be city for certain purposes

**38.** This Part comes into force on the 1st day of January, 1969.

Commencement of Part

### PART III

#### REGIONAL WATERWORKS

**39.**—(1) On and after the first day of January, 1969, the Regional Corporation shall have the sole responsibility for the supply and distribution of water in the Regional Area and shall have all the powers conferred upon a municipality under any Act for the supply and distribution of water, except the power to establish a public utilities commission.

Deemed municipality for supply and distribution of water

(2) On and after the first day of January, 1969, no area municipality shall have or exercise any powers under any Act for the supply and distribution of water.

Area municipalities, no power to supply and distribute water

(3) All waterworks, supply systems, meters, mechanical equipment and all real and personal property of any nature whatsoever used solely for the purpose of the supply and distribution of water in the Regional Area by any area municipality is vested in the Regional Corporation effective the 1st day of January, 1969, and no compensation or damages shall be payable to any area municipality in respect thereof.

Vesting of property in Regional Corporation

(4) The Regional Council shall pay to the corporation of any area municipality all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under the provisions of subsection 3, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that under *The Local Improvement Act* is payable as the owner's share of a local improvement work.

Payments of principal and interest to area municipalities

R.S.O. 1960, c. 223

(5) If the Regional Corporation fails to make any payment as required by subsection 4, the area municipality may charge the Regional Corporation interest at the rate of one-half of 1 per cent for each month or fraction thereof that the payment is overdue.

Interest to be charged by area municipality

(6) Sections 2, 4, 5, 13, 28, 31, 32, 33, 52, 53, 54 and 56 of *The Public Utilities Act* apply *mutatis mutandis* to the Regional Corporation.

Application of R.S.O. 1960, c. 335

(7) This Part comes into force on the day this Act receives Royal Assent.

Commencement of Part

### PART IV

## PART IV

## REGIONAL SEWAGE WORKS

Inter-  
pre-  
tation**40.**—(1) In this Part,

- (a) "capital improvement" means an addition to or an extension, enlargement, alteration, replacement or other improvement of a work of such nature or character that it is usually and properly accounted for as a capital asset;
- (b) "land drainage" means storm, surface, overflow, subsurface or seepage waters or other drainage from land, but does not include sewage;
- (c) "sewage" means domestic sewage or industrial wastes, or both;
- (d) "sewage works" means an integral system consisting of a sewer or sewer system and treatment works;
- (e) "sewer" means a public sewer for common usage for the purpose of carrying away sewage or land drainage, or both;
- (f) "sewer system" means a system of two or more interconnected sewers having one or more common discharge outlets and includes pumping plant, force mains, siphons and other like work;
- (g) "treatment works" means buildings, structures, plant, machinery, equipment, devices, intakes and outfalls or outlets and other works designed for the interception, collection, settling, treating, dispersing, disposing or discharging of sewage or land drainage, or both, and includes land appropriated for such purposes and uses;
- (h) "work" means a sewer, sewer system, sewage works or treatment works, or a capital improvement of any of them.

Idem

(2) For the purpose of this Part, a sewer, sewer system or sewage works, whether existing or proposed, shall be deemed to be a trunk sewer, trunk sewer system or trunk sewage works, if so declared by by-law of the Regional Council.

General  
powers

**41.** For the purpose of collecting or receiving from the area municipalities, or any of them, sewage and land drainage and the treatment or disposal thereof, the Regional Corpora-

tion



tion has all the powers conferred by any general Act upon a municipal corporation and by any special Act upon an area municipality or local board thereof.

42. The Regional Council may pass by-laws for construction, maintaining, improving, repairing, widening, altering, diverting and stopping up trunk sewers, trunk sewer systems, trunk sewage works, treatment works and water-courses.

43.—(1) The Regional Council shall, before the 1st day of December, 1968, pass by-laws which shall be effective on the 1st day of January, 1969, assuming as regional sewage works all treatment works vested in each area municipality or any local board thereof, and on the day any such by-law becomes effective the works designated therein vest in the Regional Corporation.

(2) The Regional Council may at any time pass by-laws for assuming any trunk sewer, trunk sewer system, or water-course vested in any area municipality or local board thereof, but no such by-law becomes effective before the 1st day of January, 1969.

(3) A by-law under subsection 1 or 2 shall designate and describe the works assumed.

(4) Notwithstanding subsection 1, a by-law for assuming any specific treatment works may, with the approval of the Municipal Board, be passed after the 1st day of December, 1968, and in that case the by-law becomes effective on the date provided therein.

(5) Where the Regional Corporation assumes a work or watercourse vested in an area municipality or local board,

(a) no compensation or damages shall be payable to the area municipality or local board;

(b) the Regional Corporation shall thereafter pay to the area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of the area municipality in respect of such work or watercourse, but nothing in this clause requires the Regional Corporation to pay that portion of the amounts of principal and interest that under *The Local Improvement Act* is payable as the owner's share of a local improvement work.



## Default

(6) If the Regional Corporation fails to make any payment as required by clause *b* of subsection 5, the area municipality may charge the Regional Corporation interest at the rate of one-half of 1 per cent for each month or fraction thereof that the payment is overdue.

## Settling of doubts

(7) In the event of any doubt as to whether any outstanding debt or portion thereof is a debt in respect of the work or watercourse assumed, the Municipal Board, upon application, may determine the matter and its decision is final.

## Existing agreements

**44.**—(1) Where an area municipality or a local board thereof has agreed with any other municipality to receive sewage or land drainage from that other municipality, and the works or watercourses used or required in carrying out such agreement are assumed by the Regional Corporation, the Regional Corporation becomes liable to receive such sewage or land drainage in accordance with the agreement and the receiving municipality or local board is relieved of all liability thereunder.

## Idem

(2) Where an area municipality or a local board thereof has agreed with any person other than a municipality to receive sewage or land drainage and the works or watercourses used or required in carrying out such agreement are assumed by the Regional Corporation, the Regional Corporation becomes liable to receive such sewage or land drainage in accordance with the agreement and the area municipality or local board is relieved of all liability thereunder.

## Termination

(3) Notwithstanding subsections 1 and 2 and notwithstanding anything in any such agreement, the Municipal Board, upon the application of the Regional Council or of the council of any area municipality or of any person concerned, may by order terminate any such agreement and adjust all rights and liabilities thereunder.

## Powers of area municipalities restricted

**45.**—(1) Where all the treatment works of an area municipality or any local board thereof are assumed by the Regional Corporation, the area municipality shall not thereafter establish, maintain or operate treatment works without the approval of the Regional Council.

## Idem

(2) No area municipality shall establish or enlarge any treatment works after the 1st day of December, 1968 without the approval of the Regional Council.

## Regulation of system, etc.

**46.** The Regional Council may pass by-laws for the maintenance and management of its sewers, sewer system, sewage works, treatment works and watercourses and regulating

the manner, extent and nature of the reception and disposal of sewage and land drainage from the area municipalities and every other matter or thing related to or connected therewith that it may be necessary and proper to regulate in order to secure to the inhabitants of the Regional Area an adequate system of sewage and land drainage disposal.

47.—(1) Where in the opinion of the Regional Council an area municipality or a portion thereof will or may derive a special benefit from the assumption or construction and operation of a work or watercourse, the Regional Council may, with the approval of the Municipal Board, in authorizing the construction, extension or improvement of the work, by by-law provide that the area municipality shall be chargeable with and shall pay to the Regional Corporation such portion of the capital cost thereof as the by-law specifies, and such by-law is binding on the area municipality.

Special  
benefit

(2) Where debentures are issued for the cost of the work, the area municipality chargeable under the by-law shall make payments to the Regional Corporation with respect to such debentures proportionate to its share of the capital cost as set out in the by-law in the same manner as if debentures for such share had been issued by the Regional Corporation for the purposes of the area municipality.

Debenture  
payments

(3) The area municipality may pay the amounts chargeable to it under this section out of its general funds or, subject to the approval of the Municipal Board, may pass by-laws under section 380 of *The Municipal Act* for imposing sewer rates to recover the whole or part of the amount chargeable to the area municipality in the same manner as if the work were being or had been constructed, extended or improved by the area municipality.

Raising  
of money  
by area  
municipality

R.S.O. 1960,  
c. 249

48.—(1) No municipality or person shall connect any local work, local watercourse, private drain or private sewer to a regional work or watercourse without the approval of the Regional Council.

Connection  
to regional  
works or  
water-  
courses

(2) The Regional Corporation may enter into a contract with any local municipality outside the Regional Area to receive and dispose of sewage and land drainage from the local municipality on such terms and conditions as may be agreed upon for any period not exceeding twenty years, and may renew such contract from time to time for further periods not exceeding twenty years at any one time.

Agreements  
with other  
municipalities

## Inspection

(3) Any engineer or other officer of the Regional Corporation has power to inspect the plans and specifications of any work referred to in subsection 1 and to inspect the work during its construction and before it is connected with the regional work or watercourse.

Standards  
for local  
systems

**49.**—(1) The Regional Council may pass by-laws establishing standards for and regulating and governing the design, construction and maintenance of local works connected or to be connected to a regional work or watercourse, and every area municipality and local board shall conform to such by-laws.

Approval  
of local  
extensions,  
etc.

(2) No area municipality or local board thereof shall enlarge, extend or alter any local work or watercourse that discharges into a regional work or watercourse without the approval of the Regional Council.

## Appeal

**50.** If the council of an area municipality considers itself aggrieved by the refusal of the Regional Corporation or the Regional Council,

- (a) to assume as a regional work any local work;
- (b) to construct, extend or improve any regional work;
- (c) to receive any required volume of sewage or land drainage from the area municipality;
- (d) to approve the construction, alteration, improvement or extension of a local work;
- (e) to permit a connection or the continuance of a connection to any regional work,

the council may appeal to the Municipal Board, which may make such order as it deems advisable in the matter, and the decision of the Municipal Board is final.

Special  
sewage  
service  
rates

**51.**—(1) The Regional Council may pass by-laws, subject to the approval of the Municipal Board, providing for imposing on and collecting from any area municipality, in respect of the whole or any designated part or parts thereof from which sewage and land drainage is received, a sewage service rate or rates sufficient to pay such portion as the by-law may specify of the annual cost of maintenance and operation of any regional work or works.

(2) All such charges constitute a debt of the area municipality to the Regional Corporation and shall be payable at such times and in such amounts as may be specified by by-law of the Regional Council. Idem

(3) The area municipality may pay the amounts chargeable to it under any such by-law out of its general funds or, subject to the approval of the Municipal Board, may pass by-laws under section 380 of *The Municipal Act* for imposing sewage service rates to recover the whole or part of the amount chargeable to the area municipality. Raising of money by area municipality R.S.O. 1960, c. 249

**52.** The Regional Council may contribute toward the cost to any area municipality of the separation of sanitary and storm sewers now in existence in the area municipality such amount as it deems proper, not exceeding 25 per cent of the total cost thereof to the area municipality. Contribution towards cost of separation of combined sewers

**53.** The Regional Corporation has, in respect of all works assumed, all the rights, powers, benefits and advantages conferred either by by-law or contract or otherwise upon the area municipality or area municipalities or their local boards with respect to such works before they were assumed by the Regional Corporation and the Regional Corporation may sue upon such rights or under such by-laws or agreements in the same manner and to the same extent as the area municipality or municipalities or local board or boards might have done if such works had not been assumed. Transfer of rights over works assumed

**54.** Any person authorized by the Regional Council has free access from time to time, upon reasonable notice given and request made, to all works within an area municipality and to all lands, buildings and premises used in connection therewith and the right, upon the like notice and request, to inspect and copy all plans, records and specifications and other information relating to the construction, extension or maintenance of such local works. Inspection of local works

**55.** Any works assumed by the Regional Corporation under the authority of section 43, together with any extensions or additions thereto constructed by the Regional Corporation, may be used by the Regional Corporation for the purpose of receiving and disposing of sewage and land drainage from any or all of the area municipalities and, subject to subsection 2 of section 48, from any local municipality outside the Regional Area. Use of regional works

**56.** This Part comes into force on the day this Act receives Royal Assent. Commencement of Part



## PART V

## REGIONAL ROAD SYSTEM

Interpre-  
tation**57.** In this Part,

- (a) "approved" means approved by the Minister or of a type approved by the Minister;
- (b) "construction" includes reconstruction;
- (c) "Department" means the Department of Highways;
- (d) "maintenance" includes repair;
- (e) "Minister" means the Minister of Highways;
- (f) "road authority" means a body having jurisdiction and control of a highway.

Establish-  
ment of  
regional  
road  
system

**58.**—(1) Subject to the approval of the Lieutenant Governor in Council, the Regional Council shall by by-law establish a regional road system in the Regional Area by assuming roads in any area municipality and may include in the system such boundary line roads or portions thereof between the Regional Area and an adjoining county as may be agreed upon between the Regional Council and the council of such county, and the by-law shall designate the roads to be assumed as regional roads and intended to form the regional road system.

Time for  
passing,  
effective  
date

(2) The by-law shall be passed not later than the 31st day of October, 1968, and shall come into force on the 1st day of January, 1969.

Submission  
of by-law  
for approval

(3) The Regional Corporation shall submit the by-law to the Minister for approval by the Lieutenant Governor in Council on or before the 31st day of October, 1968.

Approval or  
amendment

(4) The Lieutenant Governor in Council may approve the by-law in whole or in part and where the by-law is approved in part only it shall be enforced and take effect so far as approved, but it is not necessary for the Regional Council to pass any further by-law amending the original by-law or repealing any portion thereof that has not been so approved.

Amendment  
of by-law

(5) Subject to the approval of the Lieutenant Governor in Council, the Regional Council may amend the by-law from time to time by adding roads to or removing roads from the regional road system or in any other manner.

(6)



(6) Where a road or a part thereof is added to the regional road system, jurisdiction and control and the soil and freehold of such road or part is thereupon vested in the Regional Corporation.

Regional  
roads  
removed in  
Regional  
Corporation

(7) Where a road or a part thereof is removed from the regional road system, except by reason of it being stopped up pursuant to section 68, such road or part is thereupon transferred to and jurisdiction and control and the soil and freehold thereof is thereupon vested in the local municipality in which it is situate, and the local municipality may sue upon any rights or under any agreements or by-laws in the same manner and to the same extent as the Regional Corporation in respect of the roads assumed by the local municipality.

Roads  
removed  
from  
system

(8) Subject to the approval of the Lieutenant Governor in Council, the Regional Corporation shall, on or before the 31st day of October, 1973, pass a by-law consolidating all by-laws relating to the regional road system and shall at intervals of not more than five years thereafter pass similar consolidating by-laws.

Consolidat-  
ing by-law

(9) Unless assumed as a regional road by the by-law mentioned in subsection 1, all roads within the Regional Area or on the boundary between the Regional Area and an adjoining county that, on the 31st day of December, 1968,

Existing  
county  
roads  
in area

(a) form part of the county road system of the County of Carleton; or

(b) lie within the Township of Cumberland and form part of the county road system of the United Counties,

established under *The Highway Improvement Act* shall, on the 1st day of January, 1969, revert or be transferred to and vest in and be under the jurisdiction and control of the corporations of the area municipalities in which they are situate.

R.S.O. 1960,  
c. 171

**59.**—(1) The Regional Council shall adopt a plan of road construction and maintenance, and from time to time thereafter shall adopt such other plans as may be necessary.

Plan of  
construc-  
tion and  
mainten-  
ance

(2) The Regional Corporation shall submit a by-law covering the estimated expenditure on regional roads for the calendar year to the Department for the Minister's approval, not later than the 31st day of March of the year in which the expenditure is to be made.

Submission  
of by-law  
covering  
estimated  
expenditure

Supple-  
mentary  
by-law

(3) The Regional Corporation may, within the calendar year in which the expenditure is to be made, submit to the Minister for his approval a by-law covering the estimated expenditure on regional roads supplementing the by-law submitted under subsection 1.

Subsidy

(4) No subsidy shall be granted by the Department for work undertaken by the Regional Corporation that has not been provided for by a by-law duly approved by the Minister.

Annual  
statement  
to Minister

**60.**—(1) The Regional Council shall annually, and may, with the consent of the Minister at any time during the progress of its work in connection with the regional road system, submit to the Minister,

- (a) a detailed statement of receipts and expenditures in the form prescribed by the Minister;
- (b) a declaration of the engineer or other officer of the Regional Corporation who is charged with the responsibility of directing and supervising the work that the statement of receipts and expenditures is correct and that the work has been done in accordance with the requirements of the Minister and with the approval of the proper officer of the Department;
- (c) a declaration of the treasurer of the Regional Corporation that the statement of receipts and expenditures is correct; and
- (d) a petition for the payment of the grant, authorized by resolution of the Regional Council.

Payment to  
Regional  
Corporation

(2) Upon receipt of the statement, declarations and petition and the approval thereof by the proper officer of the Department, the Minister may direct payment to the treasurer of the Regional Corporation out of moneys appropriated therefor by the Legislature of an amount equal to 50 per cent of the amount of the expenditure that is properly chargeable to road improvement, and in all cases of doubt or dispute the decision of the Minister is final.

Advance  
payments

(3) Notwithstanding subsection 2 but subject to section 59, the Minister may, in his discretion, direct payment to the Regional Corporation under this section on or after the 1st day of May in any year, of a sum not exceeding 25 per cent,

- (a) of the amount paid by the Minister under this section in respect of the preceding calendar year; or

(b)

- (b) of the average annual payments made by the Minister under this section in respect of the five preceding calendar years.

(4) Notwithstanding subsection 2, where a plan of construction and maintenance of the regional road system has been submitted to and approved by the Minister, the Minister may, upon consideration of the estimated money needs and the financial capability of the Regional Corporation, direct payment to the treasurer of the Regional Corporation out of the moneys appropriated therefor by the Legislature of such amount as he deems requisite but not exceeding 80 per cent of the amount of the expenditure that is properly chargeable to road improvement, and in all cases of doubt or dispute the decision of the Minister is final.

Payment  
for road  
improvement

**61.** Where a contribution has been made from any source whatsoever towards an expenditure to which section 60 applies, the amount of such contribution shall be deducted from the expenditure in the statement submitted to the Minister unless the Minister otherwise directs.

Contributions  
towards  
expenditures

**62.** The roads forming part of the regional road system shall be maintained and kept in repair by the Regional Council, and in all cases the Minister shall determine the amount of the expenditure for construction or maintenance or for the purchase or maintenance of road machinery, plant and equipment that is properly chargeable to road improvement, and his decision is final.

Expenditure  
for construction,  
maintenance or  
repair

**63.** The Regional Corporation has, in respect of the roads included in the regional road system, all the rights, powers, benefits and advantages conferred, and is subject to all liabilities imposed, either by statute, by-law, contract or otherwise upon The Corporation of the County of Carleton or The Corporation of the United Counties or the corporation of the area municipality or the corporations of two or more area municipalities or the corporation of any suburban roads commission which had jurisdiction over the roads before they were assumed by the Regional Corporation, and the Regional Corporation may sue upon such rights or under such agreements or by-laws in the same manner and to the same extent as the County of Carleton or the United Counties or the area municipality or municipalities, as the case may be, might have done if the roads had not been assumed as regional roads.

Powers  
over roads  
assumed

**64.**—(1) The Regional Corporation is not by reason of assuming a road under this Act liable for the construction or maintenance of sidewalks on any regional road or portion thereof, but the area municipality in which such sidewalks

Sidewalks  
excepted

are



are located continues to be liable for the maintenance of such sidewalks and is responsible for any injury or damage arising from the construction or presence of the sidewalks on such road or portion thereof to the same extent and subject to the same limitations to which an area municipality is liable under section 443 of *The Municipal Act*, in respect of a sidewalk on a road over which a council has jurisdiction.

R.S.O. 1960,  
c. 249

Area municipalities  
may  
construct  
sidewalks,  
etc.

(2) An area municipality may construct a sidewalk or other improvement or service on a regional road but no such work shall be undertaken by a municipal corporation or any individual or company without first obtaining the approval of the Regional Council expressed by resolution.

How cost  
provided

(3) The cost of any such sidewalk, improvement or service constructed on a regional road may be met out of the general funds of the area municipality or the work may be undertaken as a local improvement under *The Local Improvement Act*.

R.S.O. 1960,  
c. 223

Area municipality to  
conform  
to require-  
ments and  
be respon-  
sible for  
damages

(4) An area municipality when constructing such a sidewalk, improvement or service on a regional road shall conform to any requirements or conditions imposed by the Regional Council and is responsible for any injury or damage arising from the construction or presence of the sidewalk, improvement or service on the road.

R.S.O. 1960,  
c. 171,  
s. 100,  
subs. 4,  
not to apply

(5) Subsection 4 of section 100 of *The Highway Improvement Act* does not apply to a sidewalk constructed on a regional road by the council of a township.

Intersection  
of other  
roads by  
regional  
road

**65.** Where a regional road intersects a road that is under the jurisdiction and control of an area municipality, the continuation of the regional road to its full width across the road intersected, is a part of the regional road system.

Dedication  
of lands  
abutting  
regional  
roads for  
widening  
purposes

**66.** When land abutting on a regional road is dedicated for highway purposes for, or apparently for, the widening of the regional road, the land so dedicated is part of the regional road and the jurisdiction and control and the soil and freehold thereof is vested in the Regional Corporation subject to any rights in the soil reserved by the person who dedicated the land.

New roads

**67.** Subject to the approval of the Lieutenant Governor in Council, the Regional Council may pass by-laws for establishing and laying out new roads and for amending the by-law passed under section 58 by assuming such new roads as part of the regional road system and the provisions of *The Municipal Act* with respect to the establishment and laying out of highways by municipalities apply *mutatis mutandis*.

R.S.O. 1960,  
c. 249

**68.** With respect to the regional roads, the Regional Corporation has all the powers conferred, and is subject to all the liabilities imposed, upon the council or corporation of a city under *The Municipal Act*, *The Highway Traffic Act* and any other Act with respect to highways.

Powers and liabilities of Regional Corporation

R.S.O. 1960, cc. 249, 172

**69.** The Regional Council may by by-law empower the council of any area municipality to lease or license the use of untravelled surface portions of regional roads within those portions of the area municipality zoned for commercial or industrial purposes to the owners or occupants of property abutting on such roads to be used solely for the parking of vehicles.

Use of untravelled portions of regional roads for parking

**70.** The Regional Corporation may by by-law authorize agreements between the Regional Corporation and the owners or lessees of land abutting on a highway for the construction, maintenance and use of walks for pedestrians over, across or under the highway upon such terms and conditions as may be agreed and for contributing to the whole or any part of the cost thereof, and for leasing or licensing the use of untravelled portions of such walks and adjoining lands to persons for such considerations and upon such terms and conditions as may be agreed.

Agreements for pedestrian walks

**71.**—(1) Sections 452 and 454 of *The Municipal Act* do not apply to a bridge or highway crossing or forming a boundary between the Regional Area and an adjoining county where such bridge or highway is included in the regional road system and in the county road system of the county.

Disputes as to maintenance, etc., of bridges and highways

R.S.O. 1960, c. 249

(2) When there is a difference between the Regional Council and the council of a county in respect of any such bridge or highway as to the corporation upon which the obligation rests for the constructing, or maintaining of the bridge or highway, or as to the proportions in which the corporations should respectively contribute thereto, or where the Regional Council and the council of the county are unable to agree as to any action, matter or thing to be taken or done in respect of such bridge or highway, every such difference shall be determined by the Municipal Board upon an application by the Regional Corporation or the corporation of the county.

Idem

(3) The Municipal Board shall appoint a day for the hearing of the application, of which ten days notice in writing shall be given to the clerk of each municipality, and shall, at the time and place appointed, hear and determine all matters in difference between the municipalities in regard to such bridge or highway, and the Municipal Board may make such order in regard to the same as it may deem just and proper, and may

Hearing by O.M.B.



by the order fix and determine the amount or proportion that each municipality shall pay or contribute toward the building and maintaining of such bridge or highway.

Term of  
order

(4) An order made by the Municipal Board under this section is binding upon the municipalities for such period as the Municipal Board may determine, and is final and conclusive.

Boundary  
bridges

R.S.O. 1960,  
c. 249

**72.** Clause *b* of subsection 1 of section 419 of *The Municipal Act* does not apply to a bridge over a river, stream, pond or lake forming or crossing a boundary line between area municipalities, and the councils of the area municipalities on either side of such boundary line have joint jurisdiction over every such bridge that is not included in the regional road system.

Idem

**73.** Section 434 of *The Municipal Act* does not apply to a bridge over a river, stream, pond or lake forming or crossing a boundary line between the Regional Area and an adjoining county, and the councils of the area municipality and the local municipality in the adjoining county on either side of such boundary line have joint jurisdiction over every such bridge that is not included in the regional road system.

Restrictions

**74.**—(1) The Regional Council has, with respect to all land lying within a distance of 150 feet from any limit of a regional road, all the powers conferred on the council of a local municipality by section 30 of *The Planning Act*.

R.S.O. 1960,  
c. 296

Conflict  
with local  
by-law

(2) In the event of conflict between a by-law passed under subsection 1 by the Regional Council and a by-law passed under section 30 of *The Planning Act* or a predecessor of such section by the council of the area municipality in which the land is situate, the by-law passed by the Regional Council prevails to the extent of such conflict, but in all other respects the by-law passed by the council of the area municipality remains in full force and effect.

Controlled-  
access  
roads

**75.**—(1) Subject to the approval of the Municipal Board, the Regional Corporation may by by-law designate any regional road, or any portion thereof, as a regional controlled-access road.

Closing  
municipal  
roads

(2) Subject to the approval of the Municipal Board, the Regional Corporation may by by-law close any municipal road that intersects or runs into a regional controlled-access road.

Notice of  
application  
for approval  
for closing  
road

(3) The Municipal Board may direct that notice of any application for approval of the closing of a road under this section shall be given at such time, in such manner and to

such

such persons as the Municipal Board may determine, and may further direct that particulars of objections to the closing shall be filed with the Municipal Board and the Regional Corporation within such time as the Municipal Board shall direct.

(4) Upon the hearing of the application for approval of <sup>Order of</sup> the closing of a road, the Municipal Board may make such <sup>O.M.B.</sup> order as it deems proper refusing its approval or granting its approval upon such terms and conditions as it deems proper, and any order of the Municipal Board approving of the closing of a road may contain provisions,

- (a) determining the portion or portions of the road that shall be closed;
- (b) providing for the payment of the costs of any person appearing on such application and fixing the amount of such costs; and
- (c) providing for the doing of such other acts as in the circumstances it deems proper.

(5) Upon the approval of the Municipal Board being so <sup>Closing</sup> obtained but subject to the provisions of the order of the <sup>road</sup> Municipal Board made on the application for such approval, the Regional Corporation may do all such acts as may be necessary to close the road in respect of which the application is made.

**76.**—(1) The Regional Corporation may pass by-laws <sup>Private</sup> prohibiting or regulating the construction or use of any private <sup>roads, etc.,</sup> road, entranceway, gate or other structure or facility as a <sup>opening</sup> means of access to a regional controlled-access road and may <sup>upon</sup> impose penalties for contravention of any such by-law. <sup>regional</sup> <sup>controlled-</sup> <sup>access</sup> <sup>road</sup>

(2) The Regional Corporation may give notice to the owner <sup>Notice</sup> of any land requiring him to close up any private road, entranceway, gate or other structure or facility constructed or used as a means of access to a regional controlled-access road in contravention of a by-law passed under subsection 1.

(3) Every notice given under subsection 2 shall be in <sup>Service of</sup> writing and shall be served personally or by registered mail, <sup>notice</sup> and in the case of service by registered mail shall be deemed to have been received on the second day following the mailing thereof.

(4) Where the person to whom notice is given under sub- <sup>Failure to</sup> section 2 fails to comply with the notice within thirty days <sup>comply with</sup> after its receipt, the Regional Corporation may by resolution <sup>notice</sup>

direct

direct any officer, employee or agent of the municipality to enter upon the land of such person and do or cause to be done whatever may be necessary to close up the private road, entranceway, gate or other structure or facility as required by the notice.

**Offence**

(5) Every person who fails to comply with a notice given under subsection 2 is guilty of an offence and on summary conviction is liable to a fine of not less than \$10 and not more than \$100 for a first offence and to a fine of not less than \$50 and not more than \$500 for a second or subsequent offence.

**Regional liability when road assumed**

**77.**—(1) Where the Regional Corporation assumes as a regional road any road in an area municipality, other than a road mentioned in subsection 9 of section 58,

(a) no compensation or damages shall be payable to the area municipality in which it was vested;

(b) the Regional Corporation shall thereafter pay to the area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of the area municipality in respect of such road, but nothing in this clause requires the Regional Corporation to pay that portion of the amounts of principal and interest that under *The Local Improvement Act* is payable as the owner's share of a local improvement work.

R.S.O. 1960,  
c. 223

**Default**

(2) If the Regional Corporation fails to make any payment as required by clause *b* of subsection 1, the area municipality may charge the Regional Corporation interest at the rate of one-half of 1 per cent for each month or fraction thereof that the payment is overdue.

**Settling of doubts**

(3) In the event of any doubt as to whether any outstanding debt or portion thereof is a debt in respect of the road assumed, the Municipal Board, upon application, may determine the matter and its decision is final.

**Stopping up highways**

**78.**—(1) Where an area municipality intends to stop up a highway or part of a highway, it shall so notify the clerk of the Regional Council by registered mail.

**Agreement**

(2) If the Regional Council objects to such stopping up, it shall so notify the council of the area municipality by registered mail within twenty-one days of the receipt of the notice under subsection 1 and the highway or part thereof concerned shall not be stopped up except by agreement

between

between the area municipality and the Regional Council and failing agreement the Municipal Board, upon application, may determine the matter and its decision is final.

(3) In the case of a township in the Regional Area, it is not necessary to obtain the approval of the judge of the county court to such stopping up under section 459 of *The Municipal Act*. <sup>Approval of judge not required  
R.S.O. 1960, c. 249</sup>

**79.**—(1) The Regional Council shall by by-law appoint a Regional Roads Commissioner, who shall be a professional engineer registered as a civil engineer under *The Professional Engineers Act*, to administer and manage the regional road system. <sup>Appointment of roads commissioner  
R.S.O. 1960, c. 309</sup>

(2) The Regional Roads Commissioner shall not be dismissed from office except after a hearing by the Regional Council if so requested by the Commissioner. <sup>Dismissal</sup>

**80.** Sections 95, 97, 99, 102 and 105 of *The Highway Improvement Act* apply *mutatis mutandis* with respect to any regional road. <sup>Application of  
R.S.O. 1960, c. 171</sup>

**81.** This Part comes into force on the day this Act receives Royal Assent. <sup>Commencement of Part</sup>

## PART VI

### PLANNING

**82.**—(1) On and after the 1st day of January, 1969, the Regional Area is defined as, and shall continue to be, a joint planning area under *The Planning Act* to be known as the Ottawa-Carleton Planning Area. <sup>Planning area  
R.S.O. 1960, c. 296</sup>

(2) The Regional Corporation is the designated municipality within the meaning of *The Planning Act* for the purposes of the Ottawa-Carleton Planning Area. <sup>Designated municipality</sup>

(3) On the 1st day of January, 1969, the planning area heretofore constituted under *The Planning Act* and consisting of the cities of Ottawa and Eastview, the Village of Rockcliffe Park and the townships of Fitzroy, Gloucester, March, Nepean and Torbolton, and the planning board thereof, are dissolved. <sup>Dissolution of existing joint area and board</sup>

(4) Subject to subsection 3, all planning areas and subsidiary planning areas established before the 15th day of June, 1968, that are included in the Ottawa-Carleton Planning Area are subsidiary planning areas within the Ottawa-Carleton Planning Area. <sup>Subsidiary planning areas</sup>



**Idem** (5) The City of Ottawa is constituted a subsidiary planning area effective the 1st day of January, 1969.

**Proviso** (6) Nothing in subsections 3 and 4 affects any official plan in effect in any part of the Regional Area.

**Effect of official plan** (7) When the Minister has approved an official plan adopted by the Regional Council,

**R.S.O. 1960, c. 296** (a) every official plan and every by-law passed under section 30 of *The Planning Act* or a predecessor thereof then in effect in the planning area affected thereby shall be amended forthwith to conform therewith;

(b) no official plan of a subsidiary planning area shall be approved that does not conform therewith.

**Planning duties of Regional Council**

**83.—**(1) The Regional Council shall investigate and survey the physical, social and economic conditions in relation to the development of the Ottawa-Carleton Planning Area and may perform such other duties of a planning nature as may be referred to it by any council having jurisdiction in the Planning Area, and without limiting the generality of the foregoing it shall,

(a) prepare maps, drawings, texts, statistical information and all other material necessary for the study, explanation and solution of problems or matters affecting the development of the Planning Area;

(b) hold public meetings and publish information for the purpose of obtaining the participation and co-operation of the inhabitants of the Planning Area in determining the solution of problems or matters affecting the development of the Planning Area; and

(c) consult with any local board having jurisdiction within the Planning Area.

**Official plan**

(2) The Regional Council, before the 31st day of December, 1972, shall prepare an official plan for the Regional Area.

**Appointment of Planning Director**

(3) The Regional Council shall appoint a Planning Director and such other staff as may be deemed necessary.

**Appointment of committees**

(4) The Regional Council may appoint such planning committees as it deems necessary.



(5) Subject to this Part, the Regional Corporation shall be deemed to be a municipality and the Regional Council a planning board for the purposes of section 1, subsections 4, 6 and 7 of section 2, sections 5, 11, 12, 12a, 13, 14, 15, 16, 19, 23, 24, 25, 28, 33 and 34 of *The Planning Act*. Regional Corporation deemed municipality under R.S.O. 1960, c. 296

(6) The Regional Council shall be deemed to be a county for the purposes of section 31a of *The Planning Act*. Idem

(7) The Regional Corporation may enter into agreements with area municipalities or persons relating to approval of plans of subdivision. Agreements re plans of subdivision

(8) On and after the 15th day of June, 1968, the townships of Fitzroy and Marlborough shall be deemed to have passed by-laws under section 26 of *The Planning Act* designating each municipality respectively as an area of subdivision control. Fitzroy and Marlborough, subdivision control

(9) The Regional Corporation, with the approval of the Minister, may enter into agreements with any governmental authority, or any agency thereof created by statute, for the carrying out of studies relating to the Ottawa-Carleton Planning Area or any part thereof. Agreements re special studies

(10) The Lieutenant Governor in Council may, upon the recommendation of the Minister, delegate to the Regional Council any of the Minister's powers of approval under *The Planning Act*. Delegation of Minister's powers R.S.O. 1960, c. 296

**84.** Except as provided in this Part, the provisions of *The Planning Act* continue to apply. Application of R.S.O. 1960, c. 296

**85.** This Part comes into force on the day this Act receives Royal Assent. Commencement of Part

## PART VII

### HEALTH AND WELFARE SERVICES

**86.**—(1) The Regional Corporation shall be deemed to be a city for all the purposes of the provisions of *The Public Hospitals Act* and sections 22 and 22a of *The Private Hospitals Act* respecting hospitalization and burial of indigent persons and their dependants, and no area municipality has any liability under such provisions. Liability for hospitalization of indigents R.S.O. 1960, cc. 322, 305

(2) Where the superintendent of a hospital notifies the clerk of the Regional Corporation in accordance with section 1 or 2 of section 21 of *The Public Hospitals Act*, he shall at the same time and in the same manner notify the clerk of the area municipality in which the indigent person is, or is represented to be, a resident. Notice to area municipality

Request for  
particulars

(3) The clerk of an area municipality shall, at the request in writing of the clerk of the Regional Corporation, furnish such particulars as may be ascertainable in respect of the residence or indigence of any person whose case has been brought to the attention of the clerk of the Regional Corporation under section 21 of *The Public Hospitals Act*.

Particulars  
to be  
furnished

(4) The clerk of an area municipality, within ten days of receiving a request under subsection 3, shall send by registered mail, or deliver, the particulars to the clerk of the Regional Corporation.

Liability of  
area munici-  
pality

(5) Upon the failure of the clerk of an area municipality to comply with subsections 3 and 4, the area municipality is liable to the Regional Corporation for the charges for treatment of the patient in respect of whom the information is requested.

Liability  
for burials  
under  
1967, c. 3

**87.** The Regional Corporation shall repay to each area municipality any expenses incurred after the 31st day of December, 1968, by the area municipality for the interment of dead bodies required to be interred by the area municipality under *The Anatomy Act, 1967*.

Regional  
Corporation  
liability  
under  
R.S.O. 1960,  
c. 236

**88.** The Regional Corporation is liable for all costs and expenses incurred after the 31st day of December, 1968, under section 72 of *The Mental Hospitals Act* in respect of the Regional Area and subsections 2 and 3 thereof apply *mutatis mutandis* to the Regional Corporation, and no area municipality is liable for such costs and expenses.

Existing  
liabilities  
transferred

**89.—**(1) The Regional Corporation is liable for the hospitalization or burial, after the 31st day of December, 1968, of an indigent person or his dependant who was in hospital on the 31st day of December, 1968, and in respect of whom any area municipality, the County of Carleton, or the United Counties was liable because the indigent person was a resident of an area municipality, the County of Carleton, or the Township of Cumberland.

Proviso

(2) Nothing in subsection 1 relieves any area municipality or the United Counties from any liability in respect of hospitalization or burials before the 1st day of January, 1969.

Hospital-  
ization  
grant 1969  
under  
R.S.O. 1960,  
c. 259

(3) The 1969 indigent hospitalization grant payable under section 8a of *The Municipal Unconditional Grants Act* shall be calculated on the combined expenditures incurred by the area municipalities for the purposes mentioned in such section 8a in the year 1968 and shall be paid to the Regional Corporation.

**90.** The Regional Council may pass by-laws for granting aid for the construction, erection, establishment, acquisition, maintenance, equipment or carrying on the business of public hospitals including municipal hospitals, public sanatoria, municipal isolation hospitals and other health care facilities in the Regional Area and may issue debentures therefor.

**91.**—(1) On and after the 1st day of January, 1969, the Regional Area shall be deemed to be a health unit incorporated under *The Public Health Act* and, subject to this Part, the provisions of such Act shall apply.

(2) All local boards of health in the area municipalities and the County of Carleton are dissolved on the 1st day of January, 1969, and all assets and liabilities of such boards become assets and liabilities of the board of health of the health unit.

(3) On the 1st day of January, 1969, the Township of Cumberland is separated from the health unit of the United Counties.

(4) Notwithstanding the provisions of any other Act, the boundaries of the health unit established by subsection 1 shall not be altered except by order of the Minister of Health.

**92.**—(1) The board of health of the health unit established under section 91 shall be composed of,

(a) not more than six members of the Regional Council appointed by the Regional Council; and

(b) not more than three persons appointed by the Lieutenant Governor in Council upon the recommendation of the Minister of Health.

(2) Notwithstanding the provisions of any other Act, the expenses incurred by the health unit in establishing and maintaining the health unit and performing its functions under *The Public Health Act* or any other Act shall be accounted for, borne and paid by the Regional Corporation.

**93.**—(1) Where an area municipality repays to another local municipality expenses incurred by that other local municipality for post-sanatorium care furnished after the 31st day of December, 1968, under subsection 5 of section 37 of *The Sanatoria for Consumptives Act*, the Regional Corporation shall repay such expenses to the area municipality.

(2) The Regional Corporation shall repay to each area municipality any expenses incurred by the area municipality for burials after the 31st day of December, 1968, under section 38 of *The Sanatoria for Consumptives Act*, subject to the limitations set out in that section.



**Time for payment**

(3) Payment under subsections 1 and 2 shall be made quarterly by the Regional Corporation upon receipt from the area municipality of detailed accounts in respect of the quarter, together with such information as the Regional Council may require.

**Rights of recourse**

(4) Where the Regional Corporation has repaid to an area municipality the expenses of the burial of a deceased patient under subsection 2, the Regional Corporation, in lieu of the area municipality, has the rights of recourse provided for in sections 40 and 41 of *The Sanatoria for Consumptives Act*.

R.S.O. 1960,  
c. 359

**Liability respecting home for aged**

R.S.O. 1960,  
c. 174

**94.**—(1) The Regional Corporation shall be deemed to be a city for the purposes of *The Homes for the Aged and Rest Homes Act*, and no area municipality has any authority as to the establishment, erection and maintenance of a home for the aged under that Act.

**Admission to home for aged**

(2) Section 13 of *The Homes for the Aged and Rest Homes Act* applies in respect of applicants for admission to a home except that,

(a) the authorization in the prescribed form referred to in clause *e* of subsection 1 of such section 13 shall be signed by the chairman or by such other person or persons as may be designated by resolution of the Regional Council; and

(b) the statement in the prescribed form referred to in clause *h* of subsection 1 of such section 13 shall be signed by the welfare officer of the Regional Corporation.

**Ottawa home for aged vested in Regional Corporation**

**95.**—(1) The home for the aged established, erected and maintained by The Corporation of the City of Ottawa, known as Island Lodge and Geriatric Centre, and all real and personal property used for the purposes of such home, are vested in the Regional Corporation on the 1st day of January, 1969, and, subject to subsection 2, no compensation or damages shall be payable to the City in respect thereof.

**Existing debt**

(2) The Regional Corporation shall pay to The Corporation of the City of Ottawa before the due date all amounts of principal and interest becoming due upon any outstanding debt of the City in respect of such home for the aged.

**Default**

(3) If the Regional Corporation fails to make any payment as required by subsection 2, The Corporation of the City of Ottawa may charge the Regional Corporation interest at the rate of one half of 1 per cent for each month or fraction thereof that the payment is overdue.

(4) In the event of any doubt as to whether any outstanding debt or portion thereof is a debt in respect of such home for the aged, the Municipal Board, upon application, may determine the matter and its decision is final. <sup>Settling of doubts</sup>

**96.**—(1) The Regional Corporation shall pay to the United Counties the cost of maintenance in the United Counties' home for the aged, incurred after the 31st day of December, 1968, of every resident of that home who was admitted thereto due to residence in an area municipality. <sup>Residents of United Counties' home for aged</sup>

(2) The amount payable by the Regional Corporation under subsection 1 shall be such as may be agreed upon or, failing agreement, as may be determined by the Municipal Board. <sup>Amount of maintenance payment</sup>

**97.**—(1) No area municipality shall be deemed to be a municipality for the purposes of *The Child Welfare Act, 1965*, and the Regional Corporation shall be deemed to be a metropolitan municipality for the purposes of such Act and a city for the purposes of subsection 2 of section 45 of such Act. <sup>Regional Corporation deemed metropolitan municipality under 1965, c. 14</sup>

(2) The Regional Corporation shall pay to the United Counties the cost of child care incurred by the United Counties on or after the 1st day of January, 1969, in respect of children taken into care in the Township of Cumberland by The Children's Aid Society of the United Counties on or before the 31st day of December, 1968, and the amount so payable shall be determined in the same manner as if such amount was determined in accordance with section 88 of *The Child Welfare Act, 1965*. <sup>Liability of Regional Corporation to United Counties</sup>

**98.** Where an order is made under subsection 2 of section 20 of the *Juvenile Delinquents Act* (Canada) upon an area municipality, such order shall be deemed to be an order upon the Regional Corporation, and the sums of money required to be paid under such order shall be paid by the Regional Corporation and not by the area municipality. <sup>Liability under order made under R.S.C. 1952, c. 160</sup>

**99.** The Regional Corporation is liable for the amounts payable on or after the 1st day of January, 1969, by any area municipality under section 88 of *The Child Welfare Act, 1965*, and is entitled to recover the amounts payable to any area municipality on or after that date under that section. <sup>Existing liabilities transferred</sup>

**100.** On and after the 1st day of January, 1969, the Regional Corporation shall be deemed to be a city for the purposes of *The General Welfare Assistance Act*, and no area municipality shall be deemed to be a municipality for the purposes of such Act, except section 3 thereof. <sup>Liability of Regional Corporation under R.S.O. 1960, c. 164</sup>



Liability of  
Regional  
Corporation  
under  
R.S.O. 1960,  
c. 173,  
1966, c. 37

**101.**—(1) On and after the 1st day of January, 1969, the Regional Corporation shall be deemed to be a city for the purposes of *The Homemakers and Nurses Services Act* and *The Day Nurseries Act, 1966*, and no area municipality shall be deemed to be a municipality for the purposes of such Acts.

Services  
to be  
supplied on  
request of  
area muni-  
cipality

(2) Notwithstanding subsection 1, the Regional Council shall not provide services under the Acts mentioned in subsection 1 except in those area municipalities requesting such services, and such municipalities shall pay the cost thereof in the manner determined by the Regional Council.

Information

**102.** Every area municipality and every officer or employee thereof shall, at the request of the clerk of the Regional Corporation, furnish forthwith to such clerk any information he may require for the purposes of *The Homes for the Aged and Rest Homes Act* and *The Child Welfare Act, 1965*.

R.S.O. 1960,  
c. 174,  
1965, c. 14

Adjust-  
ments

**103.** In the event that there is any doubt as to whether the Regional Corporation is liable under section 89, subsection 1 of section 96, subsection 2 of section 97 or section 98 in respect of the liabilities imposed therein, the matter may be settled by agreement between the municipalities concerned or, failing agreement, may be determined by the Municipal Board.

Commence-  
ment of  
Part

**104.** This Part comes into force on the 1st day of January, 1969.

## PART VIII

### FINANCES

Interpre-  
tation  
R.S.O. 1960,  
c. 23

**105.** In this Part, "rateable property" includes business and other assessment made under *The Assessment Act*.

Invest-  
ment of  
moneys not  
immediately  
required  
R.S.O. 1960,  
c. 249

**106.** Section 302 of *The Municipal Act* applies *mutatis mutandis* to the Regional Corporation.

### YEARLY ESTIMATES AND LEVIES

Yearly  
estimates

**107.**—(1) The Regional Council shall in each year prepare and adopt estimates of all sums required during the year for the purposes of the Regional Corporation, including the sums required by law to be provided by the Regional Council for any local board of the Regional Corporation, and such estimates shall set forth the estimated revenues and expenditures in such detail and according to such form as the Department may from time to time prescribe.

(2) In preparing the estimates, the Regional Council shall make due allowance for a surplus of any previous year that will be available during the current year and shall provide for any operating deficit of any previous year and for such reserves within such limits as to type and amount as the Department may approve but shall not make any allowance for payments to be received during the current year under *The Municipal Unconditional Grants Act*. <sup>Allowance to be made in estimates</sup> <sup>R.S.O. 1960, c. 259</sup>

**108.**—(1) The Regional Council in each year shall levy against the area municipalities a sum sufficient, <sup>Levy on area municipalities</sup>

- (a) for payment of the estimated current annual expenditures as adopted;
- (b) for payment of all debts of the Regional Corporation falling due within the year as well as amounts required to be raised for sinking funds and principal and interest payments or sinking fund requirements in respect of debenture debt of area municipalities for the payment of which the Regional Corporation is liable under this Act.

(2) The Regional Council shall ascertain and by by-law direct what portion of the sum mentioned in subsection 1 shall be levied against and in each area municipality. <sup>Apportionment</sup>

(3) All amounts levied under subsection 1 shall be apportioned among the area municipalities in the proportion that the whole rateable property in each area municipality bears to the whole rateable property in the Regional Area, according to the last revised assessment rolls. <sup>Idem</sup>

(4) The Department shall for the purposes of this Act in the years 1969, 1970 and 1971 revise and equalize, by the application of the latest equalization factors of the Department, the last revised assessment rolls of the area municipalities as returned in the years 1968, 1969 and 1970 respectively, and, for the purpose of subsection 3, the last revised assessment rolls for the area municipalities as so revised and equalized by the Department shall be deemed to be the last revised assessment rolls of the area municipalities. <sup>Equalized assessment 1969-1971</sup>

(5) Upon completion by the Department of the equalized assessment reports, the Department shall mail a copy thereof to the Regional Corporation and to each of the area municipalities. <sup>Copy to Regional Corporation and area municipality</sup>

(6) If any area municipality is not satisfied with the last revised assessment as equalized by the Department, the area municipality may appeal from the decision of the Department <sup>Appeal</sup>

by

by notice in writing to the Municipal Board at any time within thirty days after the mailing of the equalized assessment report to the area municipality by the Department.

*Idem*

(7) Every report of an equalization made under this section shall set out the time within which an appeal may be made to the Municipal Board with respect to such equalization.

Amend-  
ment of  
by-law  
where  
necessary  
following  
appeal

(8) Where in the years 1969, 1970 and 1971 the last revised assessment rolls of the area municipality have been revised and equalized by the Department and have been appealed, the Regional Council shall forthwith after the decision of the Municipal Board on such appeal, amend, if required, the by-law passed under subsection 2 so as to make the apportionments among the area municipalities according to the assessment rolls as revised by the Municipal Board upon such appeal, and,

(a) where the moneys levied against an area municipality are thereby increased, the treasurer of the area municipality shall pay the amount of the increase to the treasurer of the Regional Corporation; and

(b) where the moneys levied against an area municipality are thereby decreased, the treasurer of the area municipality shall be liable to pay to the treasurer of the Regional Corporation only the reduced levy or, if the original levy has been paid by the area municipality, the treasurer of the Regional Corporation shall pay the amount of the decrease to the treasurer of the area municipality.

Fixed  
assess-  
ments, etc.,  
not to apply

(9) The apportionment of the levy among the area municipalities as provided for in subsections 2 and 3 shall be based on the full value of all rateable property, and, notwithstanding any general or special Act, no fixed assessment other than a fixed assessment under section 39 of *The Assessment Act* or partial or total exemption from assessment or taxation applies thereto, except as provided in section 4 of *The Assessment Act*.

R.S.O. 1960,  
c. 23

Assess-  
ment upon  
which levy  
apportioned  
to include  
valuations  
on  
properties  
for which  
payments  
in lieu of  
taxes paid

(10) Notwithstanding anything in this section, the assessment upon which the levy among the area municipalities shall be apportioned shall include the valuations of all properties for which payments in lieu of taxes are paid by the Crown in right of Canada or any province or any board, commission, corporation or other agency thereof or The Hydro-Electric Power Commission of Ontario to any area municipality.

Valuations  
of properties  
in respect  
of which  
grants  
in lieu of  
taxes  
received

(11) The clerk of an area municipality shall transmit to the clerk of the Regional Corporation, within sixty days of the receipt of a grant paid in lieu of taxes, a statement of the

valuations



valuations as equalized of real property in the area municipality upon which such grant was made.

(12) One by-law or several by-laws for making the levies <sup>Levy by-laws</sup> may be passed as the Regional Council may deem expedient.

(13) The clerk of the Regional Corporation shall forthwith <sup>Certificate of levy</sup> after the regional levies have been apportioned certify to the clerk of each area municipality the amount that has been so directed to be levied therein for the then current year for regional purposes.

(14) Subject to subsections 5, 6 and 7 of section 57 of *The* <sup>Local levies for regional purposes</sup> *Assessment Act*, in each area municipality the regional levy shall be calculated and levied upon the whole rateable property <sup>R.S.O. 1960, c. 23</sup> rateable for such purposes within such area municipality according to the last revised assessment roll thereof.

(15) All moneys levied against an area municipality under <sup>Payment</sup> the authority of this section shall be deemed to be taxes and are a debt of the area municipality to the Regional Corporation and the treasurer of every area municipality shall pay the moneys so levied to the treasurer of the Regional Corporation at the times and in the amounts specified by the by-law of the Regional Council mentioned in subsection 2.

(16) If an area municipality fails to make any payment as <sup>Default</sup> provided in the by-law, interest shall be added at the rate of one-half of 1 per cent for each month or fraction thereof that the payment is overdue.

**109.**—(1) Notwithstanding section 108, the Regional <sup>Levy authorized before estimates adopted</sup> Council may, in any year before the adoption of the estimates for that year, levy against each of the area municipalities a sum not exceeding 50 per cent of the levy made by the Regional Council in the preceding year against that area municipality and in 1969 not more than 25 per cent of the levies made by the local municipality in the year 1968 for general municipal purposes, and subsections 15 and 16 of section 108 apply to such a levy.

(2) The amount of any levy made under subsection 1 shall <sup>Levy under s. 108 to be reduced</sup> be deducted from the amount of the levy made under section 108.

**110.**—(1) In this section,

(a) “commercial assessment” means the total of,

(i) the assessment for real property that is used as a basis for computing business assessment including the assessment for real property

<sup>Residential and commercial assessment defined</sup>

that

that is rented and is occupied or used by the Crown in right of Canada or any province or any board, commission, corporation or other agency thereof, or by any municipal, metropolitan or regional corporation or local board thereof, and

(ii) the business assessment, and

(iii) the assessment for mineral lands, railway lands, other than railway lands actually in use for residential and farming purposes, and pipe lines and the assessment of telephone and telegraph companies, and the assessment of lands not liable for business assessment under subsection 2 of section 9 of *The Assessment Act*,

R.S.O. 1960,  
c. 23

according to the last revised assessment roll;

(b) "residential assessment" means the total assessment for real property according to the last revised assessment rolls except the assessments for real property mentioned in subclauses i and iii of clause a.

Area municipality  
levy on  
commercial  
assessment

(2) The amount to be raised by each area municipality in each year by levy on the commercial assessment shall be a sum equal to the proportion of the sum to be levied against the area municipality under subsection 3 of section 108 that the commercial assessment in the area municipality bears to the total assessment in the area municipality according to the last revised assessment roll.

Area municipality  
levy on  
residential  
assessment

(3) The amount to be raised by each area municipality in the year by levy on the residential assessment shall be a sum equal to the proportion of the sum to be levied against the area municipality under subsection 3 of section 108 that the residential assessment of the area municipality bears to the total assessment of the area municipality according to the last revised assessment roll, reduced by a sum equal to the proportion of the total estimated revenue from payments to be received by the Regional Corporation under section 7 of *The Municipal Unconditional Grants Act* that the residential assessment of the area municipality bears to the residential assessment of the Regional Area.

R.S.O. 1960,  
c. 259

Deemed  
metropolitan  
municipality under  
R.S.O. 1960,  
c. 259

(4) The Regional Corporation shall be deemed to be a metropolitan municipality for the purposes of *The Municipal Unconditional Grants Act* and any moneys received by the Regional Corporation under that Act shall be credited to

each



each of the area municipalities in the proportion that the residential assessment of each such area municipality bears to the residential assessment of the Regional Area.

(5) Each area municipality shall in each year levy,

Yearly  
rates to be  
levied

(a) on the commercial assessment in the area municipality a sum equal to the amount required to be raised by the area municipality in accordance with subsection 2; and

(b) on the residential assessment in the area municipality a sum equal to the amount required to be raised by the area municipality in accordance with subsection 3.

(6) For the purpose of this section, "last revised assessment roll" for the years 1968, 1969 and 1970 means the last revised assessment roll as revised and equalized by the Department under subsection 4 of section 108.

Last  
revised  
assessment  
roll for 1968,  
1969, 1970

#### RESERVE FUNDS

**111.**—(1) The Regional Council may in each year, if authorized by a two-thirds vote of the members present at a meeting of the Regional Council, provide in the estimates for the establishment or maintenance of a reserve fund for any purpose for which it has authority to spend funds.

Reserve  
funds

(2) The moneys raised for a reserve fund established under subsection 1 shall be paid into a special account and may be invested in such securities as a trustee may invest in under *The Trustee Act*, and the earnings derived from the investment of such moneys form part of the reserve fund.

Investments  
and income

R.S.O. 1960,  
c. 408

(3) The moneys raised for a reserve fund established under subsection 1 shall not be expended, pledged or applied to any purpose other than that for which the fund was established without the approval of the Department.

Expenditure  
of reserve  
fund  
moneys

(4) The auditor in his annual report shall report on the activities and position of each reserve fund established under subsection 1.

Auditor to  
report on  
reserve  
funds

#### TEMPORARY LOANS

**112.**—(1) The Regional Council may by by-law, either before or after the passing of by-laws for imposing levies on the area municipalities for the current year, authorize the chairman and treasurer to borrow from time to time by way of promissory note such sums as the Regional Council may deem necessary to meet, until the levies are received, the current expenditures of the Regional Corporation for the year,

Current  
borrowings

including

including the amounts required for principal and interest falling due within the year upon any debt of the Regional Corporation and the sums required by law to be provided by the Regional Council for any local board of the Regional Corporation.

Limit upon borrowings

(2) The amount that may be borrowed at any one time for the purposes mentioned in subsection 1, together with any similar borrowings that have not been repaid, shall not, except with the approval of the Municipal Board, exceed 70 per cent of the uncollected balance of the estimated revenues of the Regional Corporation as set forth in the estimates adopted for the year.

Temporary application of estimates of preceding year

(3) Until such estimates are adopted, the limitation upon borrowing prescribed by subsection 2 shall temporarily be calculated upon the estimated revenues of the Regional Corporation as set forth in the estimates adopted for the next preceding year, provided that in the year 1969 the amount that may be borrowed at any one time prior to the adoption of the estimates shall be such amount as may be approved by the Municipal Board.

Protection of lender

(4) The lender is not bound to establish the necessity of borrowing the sum lent or to see to its application.

Execution of promissory notes

(5) Any promissory note made under the authority of this section shall be sealed with the seal of the Regional Corporation and signed by the chairman or by some other person authorized by by-law to sign it, and by the treasurer, and may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

Creation of charge

(6) The Regional Council may by by-law provide or authorize the chairman and treasurer to provide by agreement that all or any sums borrowed for any or all of the purposes mentioned in this section shall, with interest thereon, be a charge upon the whole or any part or parts of the revenues of the Regional Corporation for the current year and for any preceding years as and when such revenues are received; provided that such charge does not defeat or affect and is subject to any prior charge then subsisting in favour of any other lender.

Execution of agreements

(7) Any agreement entered into under subsection 6 shall be sealed with the corporate seal and signed by the chairman and treasurer.

Penalties for excess borrowings

(8) If the Regional Council authorizes the borrowing of or borrows any larger amount than is permitted under this

section, every member who knowingly votes therefor is disqualified from holding any municipal office for two years.

(9) If the Regional Council authorizes the application of <sup>Penalty for misapplication of revenues by Regional Council</sup> any revenues of the Regional Corporation charged under the authority of this section otherwise than in repayment of the loan secured by such charge, the members who vote for such application are personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction.

(10) If any member of the Regional Council or officer of the Regional Corporation applies any revenues so charged otherwise than in repayment of the loan secured by such charge, he is personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction. <sup>Penalty for misapplication of revenues by officials</sup>

(11) Subsections 8, 9 and 10 do not apply to the Regional Council or any member of the Regional Council or officer of the Regional Corporation acting under an order or direction issued or made under the authority of Part III of *The Department of Municipal Affairs Act*, nor do they apply in any case where application of the revenues of the Regional Corporation is made with the consent of the lender in whose favour a charge exists. <sup>Saving as to penalties R.S.O. 1960, c. 98</sup>

#### DEBT

**113.**—(1) Subject to the limitations and restrictions in <sup>Debt R.S.O. 1960, c. 274</sup> this Act and *The Ontario Municipal Board Act*, the Regional Council may borrow money for the purposes of,

- (a) the Regional Corporation;
- (b) any area municipality;
- (c) the joint purposes of any two or more area municipalities,

whether under this or any general or special Act, and may issue debentures therefor on the credit of the Regional Corporation.

(2) All debentures issued pursuant to a by-law passed by <sup>Liability</sup> the Regional Council under the authority of this Act are direct, joint and several obligations of the Regional Corporation and the area municipalities notwithstanding the fact that the whole or any portion of the rates imposed for the payment thereof may have been levied only against one or more of the area municipalities but nothing in this subsection affects the rights of the Regional Corporation and of the area municipalities respectively as among themselves.

## Limitation

(3) Notwithstanding any general or special Act, no area municipality has, after the 31st day of December, 1968, power to issue debentures.

Uncom-  
pleted  
works

(4) When an area municipality, prior to the 31st day of December, 1968,

(a) has applied for and obtained the final approval of the Municipal Board in respect of any work, project or other matter mentioned in subsection 1 of section 64 of *The Ontario Municipal Board Act*; and

(b) has entered into a contract for or authorized the commencement of such work, project or matter but has not prior to that date issued the debentures authorized,

R.S.O. 1960,  
c. 274

the Regional Council, upon the request of the council of the area municipality, shall pass a by-law authorizing the issue and sale of debentures of the Regional Corporation for the purposes and in the amount approved by the Municipal Board and shall, if required by the area municipality, issue such debentures and provide temporary financing for the area municipality in the manner provided in section 116, and no further approval of the Municipal Board is required.

Bonds,  
debentures,  
etc.,  
trustee  
investments  
R.S.O. 1960,  
c. 408

(5) Bonds, debentures and other evidences of indebtedness of the Regional Corporation shall be deemed to be bonds, debentures and other evidences of indebtedness of a municipal corporation for the purposes of *The Trustee Act*.

Power to  
incur debt  
or issue  
debentures  
R.S.O. 1960,  
c. 274

**114.**—(1) Subject to the limitations and restrictions in this Act and *The Ontario Municipal Board Act*, the Regional Corporation may by by-law incur a debt or issue debentures for the purposes set forth in subsection 1 of section 113 of this Act and, notwithstanding any general or special Act, such by-law may be passed without the assent of the electors of the Regional Area.

## Idem

(2) Where, under any general or special Act, an area municipality cannot incur a debt or issue debentures for a particular purpose without the assent of its electors or without the concurrence of a specified number of the members of its council, the Regional Council shall not pass a by-law authorizing the issue of debentures on behalf of such area municipality for such purpose unless such assent or concurrence to the passing of the by-law by the Regional Council has been obtained.

## Proviso

(3) Nothing in subsection 2 requires the assent of any electors where such assent has been dispensed with under section 63 of *The Ontario Municipal Board Act*.

R.S.O. 1960,  
c. 274



**115.**—(1) Notwithstanding any general or special Act, <sup>Hearing</sup> the Municipal Board, before making any order under section 64 of *The Ontario Municipal Board Act* on the application of <sup>R.S.O. 1960, c. 274</sup> the Regional Corporation or of any area municipality, shall hold a public hearing for the purpose of inquiring into the merits of the matter.

(2) Notice of the hearing shall be given to the clerk of the <sup>Notice</sup> Regional Corporation and to the clerk of each area municipality in such manner as the Municipal Board may direct.

(3) The Municipal Board may dispense with the public <sup>Dispensation with hearing</sup> hearing if the applicant files with the secretary of the Municipal Board a certified copy of a resolution of the council of each corporation entitled to notice under subsection 2 consenting to such dispensation.

(4) The Municipal Board may direct that an applicant <sup>Idem</sup> give, by registered mail, to the persons mentioned in subsection 2 notice of any application including a requirement that the Regional Corporation or any area municipality file with the applicant, within such time as may be specified by the Municipal Board, any objection to the application, and, if no such objection is filed within the time specified, the Municipal Board may dispense with the public hearing.

**116.**—(1) When the Municipal Board has authorized the <sup>Borrowing pending issue and sale of debentures</sup> borrowing of money and the issue of debentures by the Regional Corporation for its purposes, the Regional Council pending the issue and sale of the debentures may agree with a bank or person for temporary advances from time to time to meet expenditures incurred for the purpose authorized, and may by by-law pending the sale of such debentures or in lieu of selling them authorize the chairman and treasurer to raise money by way of loan on the debentures and to hypothecate them for the loan.

(2) When the Municipal Board has authorized the borrow- <sup>Idem</sup> ing of money and the issue of debentures by the Regional Corporation for the purposes of an area municipality, the Regional Council pending the issue and sale of the debentures may, and on the request of the area municipality shall, agree with a bank or person for temporary advances from time to time to meet expenditures incurred for the purposes authorized, and may, or on the request of the area municipality shall, pending the sale of such debentures or in lieu of selling them, authorize the chairman and treasurer to raise money by way of loan on the debentures and to hypothecate them for the loan, and shall transfer the proceeds of such advance or loan to the area municipality.



Interest on  
proceeds  
transferred

(3) The Regional Corporation may charge interest on any proceeds of an advance or loan transferred under subsection 2 at a rate sufficient to reimburse it for the cost of such advance or loan.

Application  
of proceeds  
of loan

(4) The proceeds of every advance or loan under this section shall be applied to the purposes for which the debentures were authorized, but the lender shall not be bound to see to the application of the proceeds and, if the debentures are subsequently sold, the proceeds of the sale shall be applied first in repayment of the loan and, where the debentures were issued for the purposes of an area municipality, the balance, subject to section 128, shall be transferred to the area municipality.

Hypotheca-  
tion not  
to prevent  
subsequent  
sale of  
debentures

(5) Subject to subsection 4, the redemption of a debenture hypothecated does not prevent the subsequent sale thereof.

Principal  
and interest  
payments

**117.**—(1) Subject to subsection 2, a money by-law for the issuing of debentures shall provide that the principal shall be repaid in annual instalments with interest annually or semi-annually upon the balances from time to time remaining unpaid, but the by-law may provide for annual instalments of combined principal and interest.

Sinking  
fund  
debentures

(2) A money by-law for the issuing of debentures may provide that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case debentures issued under the by-law shall be known as sinking fund debentures.

When  
debentures  
to be  
payable

(3) Notwithstanding any general or special Act, the whole debt and the debentures to be issued therefor shall be made payable within such term of years as the Municipal Board may approve.

Special  
levy against  
area muni-  
cipalities

(4) The by-law may provide for raising in each year, by special levy or levies against one or more area municipalities, the whole or specified portions of the sums of principal and interest payable under the by-law in such year, and each area municipality shall pay to the Regional Corporation such sums at the times and in the amounts specified in the by-law.

General  
levy

(5) The by-law shall provide for raising in each year, by a special levy on all the area municipalities, the sums of principal and interest payable under the by-law in such year to the extent that such sums have not been provided for by any special levy or levies against any area municipality or municipalities made especially liable therefor by the by-law.

(6) Any special levy against an area municipality imposed by the by-law under the authority of subsection 4 may be levied by the area municipality against persons or property in the same manner and subject to the same limitations as if it were passing a by-law authorizing the issue of debentures of the area municipality for the same purpose for the portion of the debt levied against it under subsection 4.

Levy by  
area muni-  
cipalities

(7) All levies imposed by the by-law against an area municipality are a debt of the area municipality to the Regional Corporation.

Levies a  
debt

(8) The Regional Council may by by-law authorize a change in the mode of issue of the debentures and may provide that the debentures be issued with coupons instead of in amounts of combined principal and interest or vice versa and where any debentures issued under the by-law have been sold, pledged or hypothecated by the Regional Council upon again acquiring them or at the request of any holder of them, may cancel them and issue one or more debentures in substitution for them, and make such new debenture or debentures payable by the same or a different mode on the instalment plan, but no change shall be made in the amount payable in each year.

By-law  
to change  
mode of  
issuing  
debentures

(9) All the debentures shall be issued at one time and within two years after the passing of the by-law unless, on account of the proposed expenditure for which the by-law provides being estimated or intended to extend over a number of years and of its being undesirable to have large portions of the money in hand unused and uninvested, in the opinion of the Regional Council it would be of advantage to so issue them, and in that case the by-law may provide that the debentures may be issued in sets of such amounts and at such times as the circumstances require, but so that the first of the sets shall be issued within two years, and all of them within five years, after the passing of the by-law.

Debentures  
when to be  
dated and  
issued

(10) All the debentures shall bear the same date, except where they are issued in sets, in which case every debenture of the same set shall bear the same date.

Date of  
debentures

(11) Notwithstanding the provisions of the by-law, the debentures may bear date at any time within the period of two years or five years, as the case may be, mentioned in subsection 9 and the debentures may bear date before the date the by-law is passed if the by-law provides for the first levy being made in the year in which the debentures are dated or in the next succeeding year.

Idem

(12) The Municipal Board, on the application of the Regional Council, the council of any area municipality or any person entitled to any of the debentures or of the proceeds

Extension  
of time  
for issue

of the sale thereof, may at any time extend the time for issuing the debentures beyond the two years, or the time for the issue of any set beyond the time authorized by the by-law.

Application  
after time  
expired

(13) The extension may be made although the application is not made until after the expiration of the two years or of the time provided for the issue of the set.

Effective  
date

(14) Unless the by-law names a later day when it is to take effect, it takes effect on the day of its passing.

Consolida-  
tion

(15) Notwithstanding any general or special Act, the Regional Council may borrow sums for two or more purposes in one debenture by-law and provide for the issue of one series of debentures therefor.

Consol-  
idating  
debenture  
by-laws  
R.S.O. 1960,  
c. 249

(16) Section 283 of *The Municipal Act* applies *mutatis mutandis* to the Regional Corporation.

Redemption  
before  
maturity

(17) The by-law may provide that all the debentures or a portion thereof shall be redeemable at the option of the Regional Corporation on any date prior to maturity, subject to the following provisions:

1. The by-law and every debenture that is so redeemable shall specify the place or places of payment and the amount at which such debenture may be so redeemed.
2. The principal of every debenture that is so redeemable becomes due and payable on the date set for the redemption thereof, and from and after such date interest ceases to accrue thereon where provision is duly made for the payment of the principal thereof, the interest to the date set for redemption, and any premium payable on redemption.
3. Notice of intention so to redeem shall be sent by prepaid mail at least thirty days prior to the date set for such redemption to the person in whose name the debenture is registered at the address shown in the Debenture Registry Book.
4. At least thirty days prior to the date set for such redemption, notice of intention so to redeem shall be published in *The Ontario Gazette* and in a daily newspaper of general circulation in the Regional Area and in such other manner as the by-law may provide.



5. Where only a portion of the debentures issued under the by-law is so to be redeemed, such portion shall comprise only the debentures that have the latest maturity dates and no debentures issued under the by-law shall be called for such redemption in priority to any such debenture that has a later maturity date.
6. Where a debenture is redeemed on a date prior to maturity, such redemption does not affect the validity of any by-law by which special assessments are imposed or instalments thereof levied, the validity of such special assessments or levies, or the powers of the Regional Council to continue to levy and collect from any area municipality the subsequent payments of principal and interest payable by it to the Regional Council in respect of the debenture so redeemed.

(18) The by-law may provide that the debentures to be <sup>Currency</sup> issued thereunder shall be expressed and be payable,

- (a) in lawful money of Canada and payable in Canada; or
- (b) in lawful money of the United States of America and payable in the United States of America; or
- (c) in lawful money of Great Britain and payable in Great Britain.

(19) Where under the provisions of the by-law debentures <sup>Annual rates</sup> issued thereunder are expressed and made payable in lawful money of the United States of America or of Great Britain, the Regional Council may in such by-law or in any amending by-law, in lieu of providing for the raising in each year during the currency of the debentures specific sums sufficient to pay interest thereon or instalments of principal falling due in such year, provide that there shall be raised such yearly amount as may be necessary for such purposes and as the requirements for such purposes may from year to year vary.

(20) When sinking fund debentures are issued the amount <sup>Principal levies</sup> of principal to be raised in each year shall be a specific sum which, with the estimated interest at a rate not exceeding  $3\frac{1}{2}$  per cent per annum, capitalized yearly, will be sufficient to pay the principal of the debentures or any set of them, when and as it becomes due.

(21) When sinking fund debentures are issued, the sinking <sup>Consolidated bank accounts</sup> fund committee shall keep one or more consolidated bank accounts in which,

(a)

- (a) the treasurer of the Regional Corporation shall deposit each year during the term of the debentures the moneys raised for the sinking fund of all debts that are to be paid by means of sinking funds; and
- (b) there shall be deposited all earnings derived from, and all proceeds of the sale, redemption or payment of, sinking fund investments.

Sinking  
fund  
committee

(22) When sinking fund debentures are issued, there shall be a sinking fund committee that shall be composed of the treasurer of the Regional Corporation and two members appointed by the Lieutenant Governor in Council, and the two appointed members shall be paid, out of the current fund of the Regional Corporation, such annual remuneration as the Lieutenant Governor in Council may determine.

Alternate  
members

(23) The Lieutenant Governor in Council may appoint an alternate member for each of the appointed members and any such alternate member has all the powers and duties of the member in the absence or inability to act of such member.

Chairman

(24) The treasurer of the Regional Corporation shall be the chairman and treasurer of the sinking fund committee and in his absence the appointed members may appoint one of themselves as acting chairman and treasurer.

Security

(25) Each member of the sinking fund committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys that come into his hands, in such amount as the auditor of the Regional Corporation shall determine, and in other respects the provisions of section 234 of *The Municipal Act* apply with respect to such security.

R.S.O. 1960,  
c. 249

Quorum

(26) Two members of the sinking fund committee are a quorum, and all investments and disposals of investments must be approved by a majority of all the members of the committee.

Control of  
sinking  
fund  
assets

(27) All assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the sinking fund committee.

With-  
drawals  
from bank  
accounts

(28) All withdrawals from the consolidated bank accounts shall be authorized by the sinking fund committee, and all cheques on the consolidated bank accounts shall be signed by the chairman or acting chairman and one other member of the sinking fund committee.



(29) The sinking fund committee shall invest any moneys <sup>Investments</sup> on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investments.

(30) The moneys in the consolidated bank accounts shall be <sup>Idem</sup> invested in one or more of the following forms,

- (a) in securities in which a trustee may invest under *The Trustee Act*; R.S.O. 1960,  
c. 408
- (b) in debentures of the Regional Corporation;
- (c) in temporary advances to the Regional Corporation pending the issue and sale of any debentures of the Regional Corporation;
- (d) in temporary loans to the Regional Corporation for current expenditures, but no loan for such purpose shall be made for a period ending after the end of the calendar year in which the loan is made.

(31) Any securities acquired by the sinking fund committee as investments for sinking fund purposes may be deposited <sup>Deposit of securities with Treasurer of Ontario</sup> with the Treasurer of Ontario.

(32) The Treasurer of Ontario shall release, deliver or <sup>Release of securities by Treasurer of Ontario</sup> otherwise dispose of any security deposited with him under subsection 31 only upon the direction in writing of the sinking fund committee.

(33) All sinking fund debentures issued on the same date, <sup>Sinking fund accounts</sup> payable in the same currency, and maturing on the same date, notwithstanding they are issued under one or more by-laws, shall be deemed one debt and be represented by one sinking fund account.

(34) That proportion of the amount of all earnings in any <sup>Earnings credited to sinking fund account</sup> year, on an accrual basis, from sinking fund investments obtained by,

- (a) multiplying the amount of all such earnings by the amount of the capitalized interest for that year under subsection 20 with respect to the principal raised up to and including such year for all sinking fund debentures represented by any sinking fund account; and
- (b) dividing the product obtained under clause a by the amount of all capitalized interest for that year under subsection 20 with respect to all principal raised up

to and including such year for all outstanding sinking fund debentures,

shall be credited to the sinking fund account, mentioned in clause *a*.

Sinking  
fund  
require-  
ments

(35) The treasurer of the Regional Corporation shall prepare and lay before the Regional Council in each year, before the annual regional levies are made, a statement showing the sums that the Regional Council will be required, by by-law, to raise for sinking funds in that year.

Offence

(36) If the treasurer of the Regional Corporation contravenes subsection 21 or 35, he is guilty of an offence and on summary conviction is liable to a fine of not more than \$250.

Failure  
to levy

(37) If the Regional Council neglects in any year to levy the amount required to be raised for a sinking fund, each member of the Regional Council is disqualified from holding any municipal office for two years, unless he shows that he made reasonable efforts to procure the levying of such amount.

Where  
amount in  
sinking  
fund  
account  
more than  
sufficient  
to pay debt

(38) Notwithstanding this or any other Act or by-law, if it appears at any time that the amount at the credit of any sinking fund account will be more than sufficient, with the estimated earnings to be credited thereto under subsection 34 together with the levy required to be made by the by-law or by-laws that authorized the issue of the debentures represented by such sinking fund account, to pay the principal of the debt represented by such sinking fund account when it matures, the Municipal Board on the application of the sinking fund committee, the Regional Council or the council of an area municipality, may authorize the Regional Council or the council of an area municipality to reduce the amount of money to be raised with respect to such debt in accordance with the order of the Municipal Board.

No diver-  
sion of  
sinking  
funds

(39) No money collected for the purpose of a sinking fund shall be applied towards paying any part of the current or other expenditure of the Regional Corporation or otherwise than is provided in this section.

Surplus

(40) When there is a surplus in a sinking fund account, the sinking fund committee shall,

- (a) use the surplus to increase the amount at the credit of another sinking fund account; or
- (b) authorize the withdrawal of the surplus from the consolidated bank accounts, and the surplus shall be used for one or more of the following purposes,

(i)

- (i) to retire unmatured debentures of the Regional Corporation or of an area municipality,
- (ii) subject to the approval of the Municipal Board, to reduce the next annual levy on account of principal and interest payable with respect to debentures of the Regional Corporation or of an area municipality,
- (iii) to reduce the amount of debentures to be issued for other capital expenditures for which the issue of debentures has been approved by the Municipal Board,

and the surplus shall be used under either clause *a* or *b* for the purposes of the Regional Corporation or an area municipality in the proportion that the amount of the contribution for the purposes of each bears to the total contributions to the sinking fund account in connection with which the surplus arose.

(41) Notwithstanding that any sinking fund debentures<sup>Deficit and surplus</sup> have been issued for the purposes of one or more area municipalities, any deficit in the sinking fund account shall be provided by the Regional Corporation out of its current funds and any surplus in the sinking fund account shall be used as provided in subsection 40.

**118.**—(1) If the Municipal Board is of the opinion that<sup>When rate of interest may be varied</sup> the current rate of interest so differs from the rate of interest payable on any debentures that remain unsold or undisposed of that the sale or disposal thereof may substantially decrease or increase the amount required to be provided under the by-law under which such debentures were issued, the Municipal Board may authorize the Regional Council to pass a by-law to amend such by-law so as to provide for,

- (a) a different rate of interest;
- (b) a change in the amount to be raised annually and, if necessary, in the special levies;
- (c) such other changes in such by-law or any other by-law as to the Municipal Board may seem necessary to give effect thereto;
- (d) the issue of new debentures to bear interest at the amended rate in substitution and exchange for such first-mentioned debentures; and

(e)

- (e) the cancellation of such first-mentioned debentures upon the issue of such new debentures in substitution and exchange therefor.

Hypotheca-  
tion not a  
sale under  
this section

- (2) For the purposes of this section, the hypothecation of debentures under section 116 shall not constitute a sale or other disposal thereof.

Consol-  
idation of  
debentures

- (3) The Regional Council may by one by-law authorized under subsection 1 amend two or more by-laws and provide for the issue of one series of new debentures in substitution and exchange for the debentures issued thereunder.

Special  
assessment  
and levies

- (4) A by-law passed under this section does not affect the validity of any by-law by which special assessments are imposed or instalments thereof levied, the validity of such special assessments or levies, or the powers of the Regional Council to continue to levy and collect from any area municipality the subsequent payments of principal and interest payable by it to the Regional Council.

Repeal of  
by-law  
when  
part only of  
money to be  
raised

- 119.**—(1) Where part only of a sum of money provided for by a by-law has been raised, the Regional Council may repeal the by-law as to any part of the residue, and as to a proportionate part of the amounts to be raised annually.

When  
to take  
effect

- (2) The repealing by-law shall recite the facts on which it is founded, shall be appointed to take effect on the 31st day of December in the year of its passing, shall not affect any rates or levies due or penalties incurred before that day and shall not take effect until approved by the Municipal Board.

Until  
debt paid  
certain  
by-laws  
cannot be  
repealed

- 120.**—(1) Subject to section 119, after a debt has been contracted under a by-law, the Regional Council shall not, until the debt and interest have been paid, repeal the by-law or any by-law appropriating, for the payment of the debt or the interest, the surplus income from any work or any interest therein, or money from any other source, and shall not alter any such by-law so as to diminish the amount to be raised annually, and shall not apply to any other purpose any money of the Regional Corporation that has been directed to be applied to such payment.

Application  
of payments

- (2) When the Regional Corporation, by or under the authority of this Act, pays to an area municipality any amount of principal and interest becoming due upon any outstanding debentures issued by the area municipality, neither the council of the area municipality nor any officer thereof shall apply any of the money so paid for any purpose other than the payment of the amounts of principal and interest so becoming due.



**121.** Any officer of the Regional Corporation whose duty it is to carry into effect any of the provisions of a money by-law of the Regional Corporation, who neglects or refuses to do so, under colour of a by-law illegally attempting to repeal or amend it, so as to diminish the amount to be raised annually under it, is guilty of an offence and on summary conviction is liable to a fine of not more than \$100.

Offence for neglect of officer to carry out by-law

**122.**—(1) Within four weeks after the passing of a money by-law, the clerk of the Regional Corporation may register a duplicate original or a copy of it, certified under his hand and the seal of the Regional Corporation, in the Registry Office for the Registry Division of the City of Ottawa.

Money by-laws may be registered

(2) Subject to section 61 of *The Ontario Municipal Board Act*, every by-law registered in accordance with subsection 1, or before the sale or other disposition of the debentures issued under it, and the debentures are valid and binding, according to the terms thereof, and the by-law shall not be quashed, unless within one month after the registration in the case of by-laws passed under *The Drainage Act, 1962-63* or *The Local Improvement Act*, and in the case of other by-laws, within three months after the registration, an application or action to quash the by-law is made to or brought in a court of competent jurisdiction, and a certificate under the hand of the proper officer of the court and its seal, stating that such application has been made or action brought, is registered in such registry office within such period of three months, or one month, as the case may be.

Application to quash registered by-law, when to be made R.S.O. 1960, c. 274

1962-63, c. 39 R.S.O. 1960, c. 223

(3) After the expiration of the period prescribed by subsection 2, if no application or action to quash the by-law is made or brought, the by-law is valid and binding according to its terms.

Time when by-law to be valid and binding

(4) If an application or action to quash the by-law is made or brought within the period prescribed by subsection 2, but part only of the by-law is sought to be quashed, the remainder of it, if no application or action to quash it is made or brought within that period, is, after the expiration of that period, valid and binding according to its terms.

Quashing part of by-law

(5) If the application or action is dismissed in whole or in part, a certificate of the dismissal may be registered, and after such dismissal and the expiration of the period prescribed by subsection 2, if it has not already expired, the by-law, or so much of it as is not quashed, is valid and binding according to its terms.

Dismissal of application



Illegal  
by-laws not  
validated

(6) Nothing in this section makes valid a by-law passed without the assent of the electors of an area municipality as required by subsection 2 of section 114, or a by-law where it appears on the face of it that any of the provisions of subsection 5 of section 117 have not been substantially complied with.

Failure to  
register

(7) Failure to register a by-law as prescribed by this section does not invalidate it.

Debentures,  
how sealed  
and  
executed

**123.**—(1) A debenture or other like instrument shall be sealed with the seal of the Regional Corporation, which seal may be engraved, lithographed, printed or otherwise mechanically reproduced thereon, and, subject to subsection 3, shall be signed by the chairman, or by some other person authorized by by-law of the Regional Corporation to sign it, and by the treasurer.

Interest  
coupons

(2) A debenture may have attached to it interest coupons that shall be signed by the treasurer and his signature to them may be engraved, lithographed, printed or otherwise mechanically reproduced thereon and such interest coupons are sufficiently signed if they bear the signature of the treasurer on the date the Regional Council authorized the execution of the debenture or on the date the debenture bears or at the time the debenture was issued and delivered.

Mechanical  
repro-  
duction of  
signatures

(3) The signature of the chairman, or such other person authorized by by-law to sign the debentures or other like instruments, may be engraved, lithographed, printed or otherwise mechanically reproduced thereon and, if the debentures or other like instruments are countersigned in writing by a person authorized by by-law of the Regional Corporation to countersign, the signature of the treasurer may be engraved, lithographed, printed or otherwise mechanically reproduced thereon.

Effect of  
mechanical  
repro-  
duction

(4) The seal of the Regional Corporation when so engraved, lithographed, printed or otherwise mechanically reproduced has the same force and effect as if manually affixed and the signature of the chairman or such other person authorized by by-law to sign the debentures or other like instruments and, if the debentures or other like instruments are countersigned, the signature of the treasurer when so engraved, lithographed, printed or otherwise mechanically reproduced shall be deemed the signature of the chairman or other person so authorized to sign or of the treasurer, as the case may be, and is binding upon the Regional Corporation.

(5) Any debenture or other like instrument is sufficiently signed and countersigned if it bears the signatures of the persons provided in this section if such persons had authority to sign and countersign as provided in this section either on the date the Regional Council authorized the execution of such instrument or on the date such instrument bears or at the time it was issued and delivered.

**124.** Where the interest for one year or more on the debentures issued under a by-law and the principal of any debenture that has matured has been paid by the Regional Corporation, the by-law and the debentures issued under it are valid and binding upon the Regional Corporation.

**125.—(1)** Where a debenture contains or has endorsed upon it a provision to the following effect:

This debenture, or any interest therein, is not, after a certificate of ownership has been endorsed thereon by the treasurer of this Corporation (or by such other person authorized by by-law of this Corporation to endorse such certificate of ownership), transferable except by entry by the treasurer (or by such other person so authorized) in the Debenture Registry Book of the Corporation at the

.....

.....

of .....

the treasurer (or such other persons so authorized), on the application of the owner of the debenture or of any interest in it, shall endorse upon the debenture a certificate of ownership and shall enter in a book, to be called the Debenture Registry Book, a copy of the certificate and of every certificate that is subsequently given, and shall also enter in such book a memorandum of every transfer of such debenture.

(2) A certificate of ownership shall not be endorsed on a debenture except by the written authority of the person last entered as the owner of it, or of his executors or administrators, or of his or their attorney, and, if the person last entered as owner of it is a corporation, the written authority of such corporation, or its successors, which authority shall be retained and filed by the treasurer.

(3) After a certificate of ownership has been endorsed, the debenture, if it contains or has endorsed upon it a provision to the like effect of the provision contained in subsection 1,

is transferable only by entry by the treasurer (or by such other person so authorized) in the Debenture Registry Book as and when a transfer of the debenture is authorized by the then owner of it or his executors or administrators or his or their attorney and, if the then owner of it is a corporation, the written authority of such corporation, or its successors.

Replace-  
ment of lost  
debentures

**126.** Where a debenture is defaced, lost or destroyed, the Regional Council may by by-law provide for the replacing of the debenture on the payment of such fee and on such terms as to evidence and indemnity as the by-law may provide.

Exchange of  
debentures

**127.**—(1) On request of the holder of any debenture issued by the Regional Corporation, the treasurer of the Regional Corporation may issue and deliver to such holder a new debenture or new debentures in exchange therefor for the same aggregate principal amount.

On request  
of sinking  
fund  
committee

(2) On the request of the sinking fund committee, the treasurer of the Regional Corporation may, as provided in this section, exchange debentures heretofore or hereafter issued by the Regional Corporation.

New  
debentures  
of same  
force and  
effect as  
debentures  
surrendered

(3) Any new debenture mentioned in subsection 1 may be registered as to principal and interest but in all other respects shall be of the same force and effect as the debenture or debentures surrendered for exchange.

Debentures  
surrendered  
for exchange  
to be  
cancelled

(4) The treasurer and auditor of the Regional Corporation shall cancel and destroy all debentures surrendered for exchange and shall certify in the Debenture Registry Book that they have been cancelled and destroyed and shall also enter in the Debenture Registry Book particulars of any new debenture issued in exchange.

Application  
of proceeds  
of  
debentures

**128.**—(1) The moneys received by the Regional Corporation from the sale or hypothecation of any debentures to the extent that such moneys are required for the purposes for which the debentures were issued, and for the repayment of any outstanding temporary loans with respect thereto, shall be used only for such purpose or purposes.

Idem

(2) None of the moneys received by the Regional Corporation from the sale or hypothecation of any debentures shall be applied towards payment of the current or other expenditures of the Regional Corporation or an area municipality.

Surplus

(3) Where on the sale of any debenture an amount is realized in excess of that required for the purpose or purposes

for



for which the debentures were issued, the excess amount shall be applied,

- (a) if any such debentures are redeemable prior to maturity at the option of the Regional Corporation, to redeem one or more of the debentures having the latest maturity date; or
- (b) to reduce the next annual levy on account of principal and interest payable with respect to such debentures; or
- (c) to reduce the amount of debentures to be issued for other capital expenditures of a similar nature for which the issue of debentures has been approved by the Municipal Board, provided that the principal and interest charges of such debentures are levied upon the assessment of the same class of ratepayers as was levied upon for the principal and interest charges of the debentures with respect to which the excess arose.

(4) Where on the sale of any debentures a deficiency in <sup>Deficiency</sup> the amount required for the purpose or purposes for which the debentures were issued is sustained, the amount of such deficiency shall be added to the sum to be raised for the first annual payment of principal and interest with respect to the debentures and the levy made in the first year for such purpose or purposes shall be increased accordingly or shall be raised by the issue of other debentures approved by the Municipal Board for the same or any similar purpose or purposes.

**129.** Where real or personal property acquired out of <sup>Use of proceeds of sale of asset acquired from proceeds of sale of debentures</sup> moneys received by the Regional Corporation from the sale or hypothecation of any debentures is disposed of by sale or otherwise, the net proceeds of such disposal shall be applied as an excess in accordance with subsection 3 of section 128 or, with the approval of the Municipal Board, may be applied to meet the whole or a portion of any other capital expenditure the debt charges for which, if raised by taxation, would be raised by taxation levied upon the assessment of the same class of ratepayers as was levied upon for the principal and interest charges of the debentures issued in respect of the property disposed of or sold.

**130.** When the Regional Corporation intends to borrow <sup>Tenders for debentures</sup> money on debentures under this or any other Act, the Regional Council may prior to the issue thereof call for tenders for the

amount of money required and the person tendering shall specify the rate of interest the debentures shall bear when issued at par.

Accounts,  
how to be  
kept

**131.**—(1) The Regional Council shall,

- (a) keep a separate account of every debenture debt;
- (b) where the whole of a debenture debt is not payable in the current year, keep in respect thereof,
  - (i) an additional account for the interest, if any, and
  - (ii) an additional account for the sinking fund or the instalments of principal,distinguished from all other accounts by a prefix designating the purpose for which the debenture debt was contracted; and
- (c) keep the accounts so as to exhibit at all times the state of every debt, and the amount of money raised, obtained and appropriated for the payment of it.

Consol-  
idated  
interest  
account

(2) The Regional Council may by by-law provide and direct that instead of a separate account of the interest upon every debt being kept, a consolidated account of the interest upon all debts may be kept, but which consolidated account shall be so kept that it will be possible to determine therefrom the true state of the interest account upon every debt and that provision has been made to meet the interest upon every debt.

Application  
of surplus  
money

**132.** If in any year after paying the interest and appropriating the necessary sum in payment of the instalments there is a surplus properly applicable to such debt, it shall so remain until required in due course for the payment of interest or in payment of the principal.

Liability  
of members

**133.**—(1) If the Regional Council applies any money raised for a special purpose or collected for a sinking fund in paying current or other expenditure, the members who vote for such application are personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction.

Action by  
ratepayer

(2) If the Regional Council, upon the request in writing of a ratepayer of any area municipality, refuses or neglects



for one month to bring an action therefor, the action may be brought by any such ratepayer on behalf of himself and all other ratepayers in the Regional Area.

(3) The members who vote for such application are dis-<sup>Disqual-</sup>  
qualified from holding any municipal office for two years. <sup>ification</sup>

**134.** When, by or under the authority of this Act, the <sup>Refinancing</sup>  
Regional Corporation is or becomes liable for the payment <sup>of</sup>  
to an area municipality of all amounts of principal and <sup>debentures</sup>  
interest becoming due upon any outstanding debentures  
issued by the area municipality, the Regional Corporation  
may, with the approval of the Municipal Board,

- (a) cancel all such debentures that have not been sold and issue new debentures of the Regional Corporation in substitution and exchange therefor and apply the proceeds thereof, as may be directed by the Municipal Board, for the purposes for which such debentures were issued;
- (b) arrange with the area municipality for the redemption of all such debentures as are redeemable and issue new debentures of the Regional Corporation to raise the moneys required for such redemption;
- (c) purchase, by agreement with the owner or owners thereof, all such debentures of a single issue of the area municipality, and issue new debentures of the Regional Corporation to raise the money required to complete such purchase.

**135.** This Part comes into force on the 1st day of January, <sup>Commence-</sup>  
1969. <sup>ment of</sup>  
<sup>Part</sup>

## PART IX

### DIVISIONAL BOARDS OF EDUCATION

**136.** In this Part,

<sup>Interpre-</sup>  
<sup>tation</sup>

- (a) "Ottawa Board" means The Ottawa Board of Education;
- (b) "Carleton Board" means The Carleton Board of Education.

**137.**—(1) On and after the 1st day of January, 1970, <sup>Ottawa</sup>  
the City of Ottawa, the City of Eastview and the Village of <sup>school</sup>  
Rockcliffe Park are a school division of a defined city under <sup>division</sup>  
Part VI of *The Secondary Schools and Boards of Education Act.* <sup>established</sup>  
<sup>R.S.O. 1960,</sup>  
<sup>c. 362</sup>

Divisional  
Board

(2) There shall be a divisional board of education for such school division under the name "The Ottawa Board of Education" composed of seventeen members.

Election of  
members  
by public  
school  
electors

(3) Twelve members of the Ottawa Board shall be elected by a general vote of the public school electors in the school division.

Election of  
members by  
separate  
school  
supporters

(4) Four members of the Ottawa Board shall be elected by a general vote of the separate school supporters in the City of Ottawa and the Village of Rockcliffe Park.

Idem

(5) One member of the Ottawa Board shall be elected by a general vote of the separate school supporters in the City of Eastview.

Elections,  
1969 and  
thereafter

(6) In the year 1969 and in every third year thereafter, the election of members of the Ottawa Board shall be held in each municipality in the school division at the same time and place as the election of members of the council of the municipality, and the meeting for the nomination of candidates for the Ottawa Board except candidates for the office of the member of the Ottawa Board to be elected by the separate school supporters of the City of Eastview, shall be held by the returning officer of the City of Ottawa at the same time and place as the nominations for members of the council of the City of Ottawa, and the clerk of the City of Eastview and of the Village of Rockcliffe Park, forthwith after the election, shall report the vote recorded in his municipality, except the vote in respect of the member to be elected by the separate school supporters of the City of Eastview, to the clerk of the City of Ottawa who shall prepare the final summary and announce the vote.

Term of  
office

(7) The members of the Ottawa Board elected under this section shall hold office for a term of three years and until their successors are elected and the new divisional board is organized.

First  
meeting

(8) The clerk of the City of Ottawa shall call the first meeting of the Ottawa Board in the year 1970.

Carleton  
school  
division  
established

**138.**—(1) On and after the 1st day of January, 1969, the villages of Richmond and Stittsville and the townships of Cumberland, Fitzroy, Gloucester, Goulbourn, Huntley, March, Marlborough, Nepean, North Gower, Osgoode and Torbolton are a school division under Part VI of *The Secondary Schools and Boards of Education Act*.

R.S.O. 1960,  
c. 362

(2) There shall be a divisional board of education for such school division under the name "The Carleton Board of Education" composed of eighteen members. <sup>Divisional board</sup>

(3) Fourteen members of the Carleton Board shall be elected by a general vote of the public school electors as follows, <sup>Election of members by public</sup>

(a) six members to be elected by the public school electors of the Township of Nepean;

(b) two members to be elected by the public school electors of the Township of Gloucester;

(c) one member to be elected by the public school electors of the Township of Osgoode;

(d) one member to be elected by the public school electors of the Township of Cumberland;

(e) one member to be elected by the public school electors of the townships of Fitzroy and Torbolton;

(f) one member to be elected by the public school electors of the townships of Huntley and March;

(g) one member to be elected by the public school electors of the Township of Goulbourn and the villages of Richmond and Stittsville;

(h) one member to be elected by the public school electors of the townships of North Gower and Marlborough.

(4) Four members of the Carleton Board shall be elected by a general vote of the separate school supporters in the school division. <sup>Election of members by separate school supporters</sup>

**139.**—(1) Elections for members of the Carleton Board shall be held in the years 1968 and 1970 in each municipality in the school division, and the day for polling shall be the first Monday in December in the years 1968 and 1970. <sup>Election of members in 1968, 1970</sup>

(2) A meeting for the nomination of candidates for the Carleton Board to be elected by the public school electors of, <sup>Nomination meetings in combined areas for members elected by public school electors</sup>

(a) the Township of Fitzroy and the Township of Torbolton shall be held by the returning officer of the Township of Fitzroy;

(b)

- (b) the Township of Huntley and the Township of March shall be held by the returning officer of the Township of March;
- (c) the Township of Goulbourn, the Village of Richmond and the Village of Stittsville shall be held by the returning officer of the Township of Goulbourn; and
- (d) the Township of North Gower and the Township of Marlborough shall be held by the returning officer of the Township of North Gower.

Nomination  
meeting for  
members  
elected by  
separate  
school  
supporters

(3) A meeting for the nomination of candidates for the Carleton Board to be elected by the separate school supporters in the school division shall be held by the returning officer of the Township of Nepean.

Place and  
time of  
meetings

(4) The nomination meetings to be held under this section shall be held on the second Monday preceding the first Monday in December in the years 1968 and 1970, and the council of each municipality in which a meeting is to be held shall pass a by-law before the 1st day of November in the years 1968 and 1970, naming the place and time at which the meeting shall be held, and the clerk of the municipality shall send a copy of the by-law by registered mail to the clerk of each municipality concerned, who shall publicize the meeting in the same manner as a meeting for nominations for municipal council.

Clerks  
to report  
vote

(5) The clerk of each municipality in which the election is held in a combined area under subsection 3 of section 138 or in the school division under subsection 4 of section 138 shall, forthwith after the election, report the vote recorded in his municipality to the clerk of the municipality in which the nomination meeting was held who shall prepare the final summary and announce the vote.

Term of  
office

(6) The members elected in the years 1968 and 1970 shall hold office for a term of two years and until their successors are elected and the new divisional board is organized.

First  
meeting

(7) The clerk of the Township of Nepean shall call the first meeting of the Carleton Board.

Expenses  
for certain  
elections  
to be  
repaid to  
municipality

(8) Where in any municipality in a school division established under section 138 municipal elections are not normally held in the years 1968 and 1970, the council of the municipality shall provide for the election of members of the divisional board in the years 1968 and 1970, in accordance with this section in the same manner as for the election of members



of council and, in such case, the divisional board, forthwith after it is organized, shall reimburse the treasurer of the municipality for the reasonable expenses incurred by the clerk or any other officer of the municipality for printing, providing ballot boxes, ballot papers, materials for marking ballots and balloting compartments, and for the transmission of packets, and reasonable fees and allowances for services rendered respecting the election, excluding the cost of preparing the voters' list.

**140.**—(1) In the year 1972 and in every third year thereafter, the election of members of the Carleton Board shall be held in each municipality in the school division at the same time and place and in the same manner as the election of members of the council of the municipality. Elections in 1972 and thereafter

(2) A meeting for the nomination of candidates to be elected by the public school electors of, Nomination meetings in combined areas for members elected by public school electors

(a) the Township of Fitzroy and the Township of Torbolton shall be held by the returning officer of the Township of Fitzroy;

(b) the Township of Huntley and the Township of March shall be held by the returning officer of the Township of March;

(c) the Township of Goulbourn, the Village of Richmond and the Village of Stittsville shall be held by the returning officer of the Township of Goulbourn; and

(d) the Township of North Gower and the Township of Marlborough shall be held by the returning officer of the Township of North Gower.

(3) A meeting for the nomination of candidates for the Carleton Board to be elected by the separate school supporters in the school division shall be held by the returning officer of the Township of Nepean. Nomination meeting for members elected by separate school supporters

(4) The clerk of each municipality in which an election is held in a combined area under subsection 2 or in the school division under subsection 3 shall, forthwith after the election, report the vote recorded to the clerk of the municipality in which the nomination meeting was held who shall prepare the final summary and announce the vote. Clerks to report vote

(5) The members of the Carleton Board elected under this section shall hold office for a term of three years and until their successors are elected and the new divisional board is organized. Term of office



Applica-  
tion of  
R.S.O. 1960,  
c. 362,  
Part VI

**141.** All the provisions of Part VI of *The Secondary Schools and Boards of Education Act* that are not inconsistent with this Part apply,

(a) to the school divisions and divisional boards of education established under this Part; and

(b) to the public school boards, high school boards, collegiate institute boards and boards of education wholly or partly in the school divisions established under this Part,

to the same extent as if such school divisions and divisional boards of education had been established under such Part VI.

Commence-  
ment of  
Part

**142.** This Part comes into force on the day this Act receives Royal Assent.

## PART X

### GENERAL

Applica-  
tion of  
R.S.O. 1960,  
c. 249

**143.**—(1) Section 5, Parts XV, XVI, XVII and XXI, section 248*b*, paragraphs 3 and 22 of section 377 and section 410 of *The Municipal Act* apply *mutatis mutandis* to the Regional Corporation.

Deemed  
city under  
R.S.O. 1960,  
c. 249

(2) For the purposes of subsection 2 of section 482 of *The Municipal Act*, the by-laws of the Regional Corporation or any local board thereof shall be deemed to be by-laws passed by the council of a city.

Erections,  
annexations  
and amal-  
gamations

(3) Sections 10, 11 and 14 of *The Municipal Act* do not apply to any area municipality except in relation to alterations of boundaries, within the Regional Area, of area municipalities, which alterations, in the opinion of the Municipal Board, are of a minor nature.

Nuisances

(4) The Regional Corporation shall be deemed to be a local municipality for the purpose of paragraph 116 of subsection 1 of section 379 of *The Municipal Act*.

Deemed  
muni-  
cipality for  
1962-63,  
c. 43

(5) The Regional Corporation shall be deemed to be a municipality for the purposes of *The Expropriation Procedures Act, 1962-63*.

Delegation  
of approvals  
or consents

(6) Notwithstanding any other provision in this Act, the Regional Council may pass by-laws authorizing the head of the department concerned to grant such of the approvals and consents required by subsection 1 of section 48, sub-

section 2 of section 49 and subsection 2 of section 64 as are designated in the by-law, and any such by-law may prescribe terms and conditions under which any such approval or consent may be granted.

**144.**—(1) The Regional Council may pass by-laws, Emergency  
measures,  
civil  
defence

- (a) for the establishment and maintenance of an emergency measures civil defence organization in the Regional Area; and
- (b) for providing moneys for emergency measures and civil defence, for the purposes of the emergency measures civil defence organization and for the cost of the operation of such organization, and for other similar work in the Regional Area,

and, when a by-law passed under this subsection is in force in the Regional Area, any by-law passed by the council of an area municipality under subclauses ii and iii of clause b of section 378 of *The Municipal Act* has no effect.

R.S.O. 1960,  
c. 249

(2) When a by-law passed under clause a of subsection 1 is in force, the Regional Council may pass by-laws, Powers of  
Regional  
Council re  
emergency  
measures

- (a) with the consent of the area municipality or local board concerned, for appointing heads of departments and alternates to be members of the emergency measures organization or any committee thereof;
- (b) with the consent of the area municipality or local board concerned, for training employees of the area municipality or local board in their functions under the emergency measures organization;

- (c) for appointing members of the emergency measures organization or of any committee thereof to be in charge of such departments or utilities throughout the Regional Area, as the by-law may provide, when an emergency has been proclaimed under the *War Measures Act* (Canada) or under *The Emergency Measures Act, 1962-63*; R.S.C. 1952,  
c. 288  
1962-63,  
c. 41

- (d) for acquiring alternative headquarters for the Regional Government outside the Regional Area;

- (e) for designating evacuation routes and empowering members of the police forces having jurisdiction in the Regional Area to require persons to use such routes;

(f)

- (f) for obtaining and distributing emergency materials, equipment and supplies; and
- (g) for complying with any request of the Government of Canada or of Ontario in the event of a nuclear attack.

Expend-  
itures for  
diffusing  
information

**145.** The Regional Corporation may make expenditures not exceeding \$50,000 in any one year for the purpose of diffusing information respecting the advantages of the municipality as an industrial, business, educational, residential or vacation centre and may make annual grants for a period not exceeding five years, and upon the expiration of any such period may make similar grants for a further period not exceeding five years.

Grants to  
persons  
engaged  
in work  
advanta-  
geous to  
Regional  
Area

**146.** The Regional Council may make annual grants, not to exceed in any year a sum calculated at one-tenth of one mill in the dollar upon the total assessment upon which the regional levy is apportioned among the area municipalities under subsection 3 of section 108, to institutions, associations and persons carrying on or engaged in works that in the opinion of the Regional Council are for the general advantage of the inhabitants of the Regional Area and for which grant or grants there is no express authority provided by any other Act.

Payment of  
damages to  
employees  
R.S.O. 1960,  
c. 437

**147.** Where in an action or by the settlement of a claim arising out of an injury to an employee or to any person deemed an employee for the purposes of *The Workmen's Compensation Act* the Regional Corporation recovers damages from a third person, such damages or any portion thereof may be paid to such employee or person or, in the event of his death, to one or more of his dependants upon such terms and conditions as the Regional Corporation may impose.

Investiga-  
tion by  
county  
judge of  
charges of  
malfeasance

**148.—(1)** Where the Regional Council passes a resolution requesting a judge of the county court of the Regional Area or a judge of the county court of a county adjoining the Regional Area to investigate any matter relating to a supposed malfeasance, breach of trust or other misconduct on the part of a member of the Regional Council, or an officer or employee of the Regional Corporation, or of any person having a contract with it, in regard to the duties or obligations of the member, officer, employee or other person to the Regional Corporation, or to inquire into or concerning any matter connected with the good government of the Regional Corporation or the conduct of any part of its public business, including any business conducted by a local board of the Regional Corporation, the judge shall make the inquiry and for that

purpose has all the powers that may be conferred on a commissioner under *The Public Inquiries Act*, and he shall, with all convenient speed, report to the Regional Council the result of the inquiry and the evidence taken.

R.S.O. 1960,  
c. 323

(2) The judge shall be paid by the Regional Corporation the same fees as he would be entitled to if the inquiry had been made by him as a referee under *The Judicature Act*.

Fees payable to judge  
R.S.O. 1960,  
c. 197

(3) The Regional Council may engage and pay counsel to represent the Regional Corporation, and may pay all proper witness fees to persons summoned to give evidence at the instance of the Regional Corporation, and any person charged with malfeasance, breach of trust or other misconduct, or whose conduct is called in question on such investigation or inquiry, may be represented by counsel.

Engaging counsel

**149.**—(1) The Lieutenant Governor in Council, upon the recommendation of the Minister, may issue a commission to inquire into any of the affairs of the Regional Corporation or a local board thereof, and any matter connected therewith, and the commissioner has all the powers that may be conferred on a commissioner under *The Public Inquiries Act*.

Commission of inquiry

(2) A commission may be recommended at the instance of the Department or upon the request in writing of not less than one-third of the members of the Regional Council, or of not less than fifty ratepayers of an area municipality assessed as owners and resident therein.

When commission may issue

(3) The expenses of and incidental to the execution of the commission, including the fees and disbursements of the commissioner, shall be fixed and certified by the Minister and are subject to such division between the Regional Corporation and the Province as the Lieutenant Governor in Council may direct.

Expenses of commission

**150.** The Regional Corporation for its purposes may enter, break up, dig and trench in, upon and under the highways, lanes and other public communications of any area municipality and may construct and maintain therein pipes, sewers, drains, conduits and other works necessary for its purposes, without making compensation therefor, but all such highways, lanes and other public communications shall be restored to their original condition without unnecessary delay.

Entry on highways, etc.

**151.** The Regional Corporation and any area municipality may enter into agreements for the use within any part of the Regional Area of the services of their respective officers, employees and equipment.

Agreements re services



Applica-  
tion of  
R.S.O. 1960,  
c. 23

**152.**—(1) For the purposes of paragraph 9 of section 4 and section 43 of *The Assessment Act*, the Regional Corporation shall be deemed to be a municipality.

Regional  
Corporation  
and area  
municipalities not  
deemed  
tenants

(2) For the purposes of paragraph 9 of section 4 of *The Assessment Act*, where property belonging to the Regional Corporation is occupied by an area municipality or where property belonging to an area municipality is occupied by the Regional Corporation or another area municipality, the occupant shall not be deemed to be a tenant or lessee, whether rent is paid for such occupation or not.

Interpre-  
tation

(3) In subsection 2, "Regional Corporation" and "area municipality" include a local board thereof.

Executions  
against  
Regional  
Corporation

**153.**—(1) An execution against the Regional Corporation may be endorsed with a direction to the sheriff to levy the amount thereof by rate, and the proceedings therein shall then be the following:

1. The sheriff shall deliver a copy of the writ and endorsement to the treasurer of the Regional Corporation, or leave such copy at the office or dwelling place of that officer, with a statement in writing of the sheriff's fees and of the amount required to satisfy the execution, including the interest calculated to some day as near as is convenient to the day of the service.
2. If the amount with interest thereon from the day mentioned in the statement is not paid to the sheriff within one month after the service, the sheriff shall examine the assessment rolls of all the area municipalities and shall, in like manner as the levies of the Regional Council for general purposes are apportioned among the area municipalities, determine the portion of the amount mentioned in the statement that shall be levied against and in each area municipality.
3. The sheriff shall then in like manner as rates are struck for general municipal purposes within each area municipality strike a rate sufficient in the dollar to cover its share of the amount due from the execution, and in determining such amount he may make such addition to the same as the sheriff deems sufficient to cover its share of the interest up to the time when the rate will probably be available and his own fees and poundage.



4. The sheriff shall thereupon issue a precept under his hand and seal of office directed to the collector of the area municipality, and shall annex to the precept the roll of such rate, and shall by the precept, after reciting the writ and that the Regional Corporation has neglected to satisfy the same, and referring to the roll annexed to the precept, command the collector to levy such rate at the time and in the manner by law required in respect of the general annual rates.
5. If at the time for levying the annual rates next after the receipt of such report, the collector has a general rate roll delivered to him for the year, he shall add a column thereto, headed "Execution rate in A.B. vs. The Regional Municipality of Ottawa-Carleton" (adding a similar column for each execution if more than one), and shall insert therein the amount by such precept required to be levied upon each person respectively, and shall levy the amount of such execution rate as aforesaid, and shall, within the time within which he is required to make the return of the general annual rate, return to the sheriff the precept with the amount levied thereon.
6. The sheriff shall, after satisfying the execution and all the fees and poundage thereon, pay any surplus, within ten days after receiving the same, to the treasurer of the area municipality.

(2) The clerk, assessor and collector of each area municipality shall, for all purposes connected with carrying into effect, or permitting or assisting the sheriff to carry into effect, the provisions of this Act with respect to such execution, be deemed to be officers of the court out of which the writ issued, and as such are amenable to the court and may be proceeded against by attachment, mandamus or otherwise in order to compel them to perform the duties imposed upon them.

**154.**—(1) The Corporation of the County of Carleton is dissolved on the 1st day of January, 1969, and on the same date the Township of Cumberland is withdrawn from the County of Russell and the United Counties for all purposes.

(2) Subject to an order of the Municipal Board, all the assets and liabilities of the County of Carleton become, on the 1st day of January, 1969, the assets and liabilities of the Regional Corporation, and all documents and records kept

by the clerk or treasurer or any other officer of the County of Carleton shall be transferred to the clerk of the Regional Corporation.

Suburban  
roads  
commissions  
dissolved

**155.**—(1) The Eastview Suburban Roads Commission and the Ottawa Suburban Roads Commission are dissolved on the 1st day of January, 1969.

Assets and  
liabilities

(2) Subject to an order of the Municipal Board, all the assets and liabilities of the roads commissions dissolved under subsection 1 become, on the 1st day of January, 1969, the assets and liabilities of the Regional Corporation, and all documents and records kept by any officer of either of such roads commissions shall be transferred to the clerk of the Regional Corporation.

Adjust-  
ment of  
assets, etc.

R.S.O. 1960,  
c. 249

**156.**—(1) Except as provided in this Act, the Municipal Board upon the application of any area municipality, the Regional Corporation or the United Counties may exercise any of the powers under clauses *a*, *b* and *d* of subsection 10 of section 14 of *The Municipal Act* in relation to the dissolution of the County of Carleton and the removal of the Township of Cumberland from the County of Russell and the United Counties and the dissolution of local boards of health and suburban roads commissions under this Act.

Disputes

R.S.O. 1960,  
c. 274

(2) In the event of any doubt as to whether any particular asset or liability is vested in the Regional Corporation under this Act, the Municipal Board upon application has power to determine the matter as sole arbitrator and sections 94 and 95 of *The Ontario Municipal Board Act* do not apply to decisions or orders made in the exercise of such power.

Conditional  
powers

**157.** The Lieutenant Governor in Council, upon the recommendation of the Minister, may authorize the Regional Corporation to do all such acts or things not specifically provided for in this Act that are deemed necessary or advisable to carry out effectively the intent and purposes of this Act.

Conflict  
with other  
Acts

**158.** The provisions of this Act apply notwithstanding the provisions of any general or special Act and, in the event of any conflict between this Act and any general or special Act, this Act prevails.

Municipal  
buildings

**159.** The Regional Corporation or an area municipality or the Regional Corporation and one or more area municipalities,

(a) may acquire land for the purposes of constructing municipal buildings; and

(b)

- (b) may construct municipal buildings for the use of the Regional Corporation or the Regional Corporation and one or more area municipalities.

**160.** The expenditures of the Regional Corporation, as approved by the Department, during the year 1968 shall be payable out of the Consolidated Revenue Fund. <sup>1968 expend- itures</sup>

**161.**—(1) This Part, except sections 150 and 156, comes into force on the day this Act receives Royal Assent. <sup>Commence- ment of Part</sup>

(2) Sections 150 and 156 come into force on the 1st day of January, 1969. <sup>Idem</sup>

(3) Section 1 comes into force on the day this Act receives Royal Assent. <sup>Idem</sup>

**162.** This Act may be cited as *The Regional Municipality of Ottawa-Carleton Act, 1968*. <sup>Short title</sup>

## FORM 1

(Section 8 (5))

## OATH OF ALLEGIANCE

I, . . . . ., having been elected (*or* appointed) as chairman of the council of The Regional Municipality of Ottawa-Carleton, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II (*or the reigning sovereign for the time being*).

Sworn before me, etc.

## FORM 2

(Section 8 (5))

## DECLARATION OF QUALIFICATION BY CHAIRMAN

I, . . . . ., having been elected (*or* appointed) as chairman of the council of The Regional Municipality of Ottawa-Carleton, declare that:

1. I am a British subject and am not a citizen or a subject of any foreign country.
2. I am of the full age of twenty-one years.
3. I am not an officer, employee or servant of any area municipality or any local board of any area municipality.
4. I have not by myself or a partner, directly or indirectly, any interest in any contract with or on behalf of The Regional Municipality of Ottawa-Carleton or any local board thereof or any area municipality or local board thereof.
5. I have taken the oath of allegiance (Form 1) which I attach hereto.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me, etc.

## CHAPTER 116

## An Act to amend The Registry Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 2 of section 5 of *The Registry Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 348, s. 5,  
subs. 2,  
re-enacted

(2) Subsection 1 does not apply to a registry office that is in a county or district court house or administration building located outside the county or district town. Exception

(2) Subsection 3 of the said section 5, as enacted by section 2 of *The Registry Amendment Act, 1962-63*, is repealed. R.S.O. 1960,  
c. 348, s. 5,  
subs. 3  
(1962-63,  
c. 124, s. 2),  
repealed

**2.** Section 6 of *The Registry Act*, as amended by section 4 of *The Registry Amendment Act, 1964* and section 2 of *The Registry Amendment Act, 1966*, is repealed. R.S.O. 1960,  
c. 348, s. 6,  
repealed

**3.** Sections 9 and 10 of *The Registry Act* are repealed. R.S.O. 1960,  
c. 348,  
ss. 9, 10,  
repealed

**4.** Subsection 1 of section 20 of *The Registry Act*, as re-enacted by subsection 1 of section 5 of *The Registry Amendment Act, 1966*, is repealed. R.S.O. 1960,  
c. 348, s. 20,  
subs. 1  
(1966,  
c. 136, s. 5,  
subs. 1),  
repealed

**5.** Sections 21 and 22 of *The Registry Act* are repealed. R.S.O. 1960,  
c. 348,  
ss. 21, 22,  
repealed

**6.** Subsection 7 of section 26 of *The Registry Act*, as enacted by subsection 2 of section 9 of *The Registry Amendment Act, 1962-63*, is repealed. R.S.O. 1960,  
c. 348, s. 26,  
subs. 7  
(1962-63,  
c. 124, s. 9,  
subs. 2),  
repealed

**7.** Section 27 of *The Registry Act*, as amended by section 10 of *The Registry Amendment Act, 1962-63*, is repealed. R.S.O. 1960,  
c. 348, s. 27,  
repealed

**8.** Subsection 6 of section 73 of *The Registry Act* is repealed. R.S.O. 1960,  
c. 348, s. 73,  
subs. 6,  
repealed

**9.** Section 106 of *The Registry Act* is repealed. R.S.O. 1960,  
c. 348, s. 106,  
repealed



R.S.O. 1960, c. 348, s. 107, subs. 4 (1966, c. 136, s. 46), is repealed.

R.S.O. 1960, c. 348, ss. 109, 110 (1966, c. 136, s. 47), re-enacted; ss. 111-114 (1966, c. 136, s. 47), repealed

**11.** Sections 109, 110, 111, 112, 113 and 114 of *The Registry Act*, as re-enacted by section 47 of *The Registry Amendment Act, 1966*, are repealed and the following substituted therefor:

Remission  
of fees

109. Every registrar shall pay monthly to the Treasurer of Ontario all fees received under this Act, after payment of such disbursements as have been authorized by the Inspector, and shall remit every such payment to the Inspector together with a monthly return in such form as is approved by the Inspector.

Employees

110. Such employees as are considered necessary for the administration of this Act may be appointed under *The Public Service Act, 1961-62*.

1961-62,  
c. 121

R.S.O. 1960, c. 348, s. 117, repealed

**12.** Section 117 of *The Registry Act*, as amended by section 48 of *The Registry Amendment Act, 1966*, is repealed.

R.S.O. 1960, c. 348, s. 119, repealed

**13.** Section 119 of *The Registry Act* is repealed.

R.S.O. 1960, c. 348, s. 121, cl. *e*, amended

**14.**—(1) Clause *e* of section 121 of *The Registry Act* is amended by striking out “and settle and certify the sums, if any, chargeable therefor” in the second and third lines, so that the clause shall read as follows:

new indexes

(*e*) inspect all new abstract and alphabetical indexes.

R.S.O. 1960, c. 348, s. 121, cl. *i*, repealed

(2) Clause *i* of the said section 121 is repealed.

Commence-  
ment

**15.** This Act shall be deemed to have come into force on the 1st day of January, 1968.

Short title

**16.** This Act may be cited as *The Registry Amendment Act, 1968*.

## CHAPTER 117

**An Act to amend  
The Religious Institutions Act**

*Assented to March 28th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 6 of section 19 of *The Religious Institutions Act* is amended by inserting after "bishop" in the ninth line "coadjutor bishop or a suffragan bishop of the diocese", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 351, s. 19,  
subs. 6,  
amended

(6) Provided that land shall not be sold or leased, mortgaged or otherwise encumbered under the powers conferred by this Act except with the consent of the vestry of the church or congregation interested therein and of the bishop of the diocese and the executive committee of the synod of the diocese, and it is hereby declared that the consent of the vestry given in accordance with the rules and canons of such church shall be deemed to be the consent of the congregation, and the execution of the conveyance by the bishop, coadjutor bishop or a suffragan bishop of the diocese and by the secretary or secretaries of the synod, or a memorandum of consent endorsed thereon and signed by them, is, in favour of the grantee, his heirs and assigns, conclusive evidence of the consent of the bishop and executive committee.

How land  
may be  
sold or  
encumbered,  
consent  
requisite

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Religious Institutions Amendment Act, 1968*.

Short title



## CHAPTER 118

**An Act to provide for the Reduction of  
Municipal Taxes on Residential Property**

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) In this Act,

Interpre-  
tation

- (a) “assessment” means the assessment upon which taxes are levied in the year in which the reduction of taxes is made under section 2;
- (b) “Department” means the Department of Municipal Affairs;
- (c) “equalized mill rate” means the mill rate levied on any residential property for the year in which the reduction of taxes is made under section 2 after applying to it the equalizing factor;
- (d) “equalizing factor” means the equalization factor prepared for the purposes of this Act by the Department and approved by the Minister for the local municipality for the year in which the reduction of taxes is made under section 2;
- (e) “land” means land as defined in *The Assessment Act*; <sup>R.S.O. 1960, c. 23</sup>
- (f) “local municipality” means a city, town, village or township, a board of a school section or high school district in territory without municipal organization, a divisional board in relation to district municipalities in territory without municipal organization, and a separate school board that levies and collects taxes for the purposes of the board;
- (g) “Minister” means the Minister of Municipal Affairs;

(h)

(h) "municipal taxes" means all taxes for municipal and school purposes imposed by a mill rate on rateable property;

(i) "residential property" means land separately assessed under paragraph 6 of subsection 1 of section 20 of *The Assessment Act* upon which there is a building used or intended to be used as a residence.

R.S.O. 1960,  
c. 23

Where part  
of land  
assessed in  
1967 should  
have been  
separately  
assessed

(2) Where any person who has an interest as owner or tenant in any land believes that any part or parts of such land should have been separately assessed in the year 1967, he may apply in the year 1968 to the treasurer of the local municipality, and, if the treasurer is satisfied that this is the case, he may so certify, and thereupon such part or parts of such land shall be deemed to have been separately assessed in the year 1967 for the purposes of this Act.

Reduction  
of municipal  
taxes

**2.** Notwithstanding any general or special Act, every local municipality shall reduce the municipal taxes required to be paid in each year by the amount that is produced by the application of the equalized mill rate to \$2,000 of the assessment of any residential property or the amount of the total of the municipal taxes on such residential property, whichever is the lesser, provided that where taxes are levied under section 53 of *The Assessment Act*, the reduction to be made under this section shall be the proportion of the reduction that would otherwise be made under this section that the number of months remaining in the year, after such levy, bears to the number 12, and such reduction shall, for the purposes of section 3, be deemed to be made on the date that the payment of the first instalment of taxes is required to be made by by-law passed under section 120 of *The Assessment Act*.

Refund of  
taxes

**3.** Where in the year 1968 municipal taxes on any residential property have been paid in excess of the amount of such taxes after allowing for the reduction provided in section 2, the local municipality shall, on or before the 31st day of December of that year, refund to the person who at the time of the making of the reduction in the opinion of the assessor would be entitled to be assessed as owner of such residential property if an assessment were made at that time or, where by any lease the tenant of such residential property is obliged to pay the municipal taxes, to such tenant the amount of such excess but nothing in this section affects the rights of any persons who have an interest in such excess as between themselves.



4.—(1) In this section, “agent” means the person for the time being receiving the rent of the residential property as the agent or trustee of the landlord. <sup>Interpre-  
tation</sup>

(2) Where in any year a reduction of municipal taxes is made to a landlord in respect of any residential property, the landlord or his agent shall pay or allow as a reduction in rent to the tenant thereof the amount of such tax reduction in such manner and at such time or times as are prescribed by the regulations made under this Act. <sup>Reduction  
to tenant</sup>

(3) The right of a tenant to receive the reduction of municipal taxes mentioned in subsection 2 is not assignable and may not be waived before or after this Act comes into force. <sup>Reduction  
may not be  
assigned  
or waived</sup>

5.—(1) Every local municipality may apply to the Department requesting that it be reimbursed for the amount of reductions of municipal taxes made by such municipality under this Act, and the Treasurer of Ontario shall pay to the municipality the total amount of such reductions. <sup>Payment by  
Ontario of  
amount of  
reduction  
allowed</sup>

(2) Where a local municipality has, under section 131 of *The Assessment Act*, made a cancellation, reduction or refund of taxes in respect of any residential property there shall be an adjustment as between the Province and the municipality of the amounts paid or payable under subsection 1. <sup>Adjustment  
re Cancellations,  
reductions  
or refunds  
R.S.O. 1960,  
c. 23</sup>

6. The Lieutenant Governor in Council may make regulations, <sup>Regulations</sup>

- (a) prescribing forms for use under this Act and the manner in which applications for reimbursement to municipalities may be made;
- (b) prescribing the manner in which and the time or times at which amounts of reduction of municipal taxes shall be paid or allowed as a reduction in rent to tenants under section 4;
- (c) providing for the determination of sums for the purposes of section 8;
- (d) generally for the administration of this Act.

7. Every landlord and every agent as defined in section 4 who contravenes any of the provisions of section 4 or of the regulations made under this Act is guilty of an offence and on summary conviction is liable to a fine of not more than \$200, and in addition the magistrate shall order the landlord or agent to pay or allow as a reduction in rent the amount <sup>Offence</sup>

of any credit on municipal taxes that in the opinion of the magistrate has not been paid or allowed as a reduction in rent in accordance with section 4.

Tenants of  
public  
housing  
agencies  
1953-54,  
c. 23 (Can.)

8.—(1) Where in any year a tenant of a public housing agency as defined in Part VI of the *National Housing Act, 1954* (Canada) occupies a residential property and pays an amount that is not less than a sum determined in accordance with the regulations made under this Act, having regard to the rent of similar privately-owned residential property in the area, the agency shall determine the amount of reduction that would have been made by a municipality under section 2 if the residential property had been assessed and taxed in the usual way and shall allow such amount as a reduction in the rent in accordance with section 4 and may apply to the Department for reimbursement of the amount of such reduction and the Treasurer of Ontario shall pay to such agency the total of such amounts.

Agreement  
under  
R.S.O. 1960,  
c. 182, s. 17

(2) Where there is an agreement under section 17 of *The Housing Development Act* between a local municipality and any person the effect of which is that the local municipality bears the whole or part of the municipal taxes of such person, such agreement shall be deemed to be amended by increasing the amount of the municipal taxes borne by the local municipality by the amount of such reduction of taxes.

Moneys

9. Moneys required for the purposes of this Act shall be paid out of the moneys appropriated therefor by the Legislature.

Commence-  
ment

10. This Act comes into force on the day it receives Royal Assent.

Short title

11. This Act may be cited as *The Residential Property Tax Reduction Act, 1968*.

## CHAPTER 119

**An Act respecting The Royal Ontario Museum**

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "Board" means the board of trustees of the Museum;
- (b) "Museum" means The Royal Ontario Museum;
- (c) "Unincorporated Institutions" means the institutions heretofore known as The Royal Ontario Museum and The R. S. McLaughlin Planetarium, the assets and rights pertaining to which heretofore were vested in The Governors of the University of Toronto.

**2.—**(1) There is hereby established a corporation without share capital under the name of "The Royal Ontario Museum" which shall consist of the trustees for the time being of the Board.

Museum  
corporation  
established

(2) The fiscal year of the Museum commences on the 1st day of July in each year and ends on the 30th day of June in the following year.

Fiscal year

**3.** The objects of the Museum are,

Objects of  
Museum

- (a) the collection and exhibition of objects, documents and books of any kind to illustrate and make known to the public the natural history of Ontario, Canada and the world;
- (b) the collection and exhibition of objects, documents and books of any kind to illustrate and make known to the public the history of man in all the ages;
- (c) the operation of a planetarium;

(d)

- (d) the promotion of education, teaching, research and publication in any or all fields related to the objects of the Museum referred to in clauses *a*, *b* and *c*.

Board of  
trustees

4.—(1) The affairs of the Museum shall be managed and controlled by a board of trustees, consisting of twenty-one trustees.

Trustees,  
*ex officio*

(2) The chairman of The Governors of the University of Toronto, the President of the University of Toronto and the Director of the Museum shall be *ex officio* trustees of the Museum.

Appoint-  
ment and  
election

(3) Of the remaining eighteen trustees,

(a) fifteen shall be appointed by the Lieutenant Governor in Council; and

(b) three shall be elected by the members of the Museum,

each to hold office for a term of three years.

First  
trustees

(4) Notwithstanding subsection 3,

(a) on the first appointment of trustees under clause *a* of subsection 3, five trustees shall be appointed for a one-year term, five trustees shall be appointed for a two-year term and five trustees shall be appointed for a three-year term; and

(b) on the first election of trustees under clause *b* of subsection 3, one trustee shall be elected for a one-year term, one trustee shall be elected for a two-year term and one trustee shall be elected for a three-year term,

and in each year thereafter five trustees shall be appointed and one trustee shall be elected as provided in subsection 3.

Vacancies

(5) Where a vacancy occurs for any reason among the trustees, the vacancy shall be filled by a person appointed or elected by the body that appointed or elected the trustee whose office is vacant, and the person so appointed or elected shall hold office for the remainder of the term of office of the person whose membership is vacant.

Re-election  
and re-  
appoint-  
ment of  
trustees

(6) Any trustee elected or appointed under subsection 3 is eligible for re-election or re-appointment for one additional term, but on the expiration of his second term he is not eligible for re-election or re-appointment until at least one year has elapsed from the expiration of such term.



(7) Seven trustees constitute a quorum for meetings of the <sup>Quorum</sup> Board.

(8) One of the members of the Board shall be appointed <sup>Chairman</sup> by the Lieutenant Governor in Council to be its chairman.

(9) The Board may appoint one of its members to be vice-<sup>Vice-chairman</sup> chairman.

(10) The chairman shall preside at all meetings of the Board <sup>Presiding officer</sup> and, in his absence, the vice-chairman shall preside, and, in the absence of the chairman and the vice-chairman, the trustees present at a meeting shall appoint one of their number to preside.

5. The Board has all the powers necessary or convenient to <sup>Powers of Board</sup> achieve the objects of the Museum and, without limiting the generality of the foregoing, may,

- (a) make by-laws, rules and regulations,
  - (i) for the administration of the affairs of the Museum,
  - (ii) governing the use by the public of the facilities, property and equipment of the Museum and requiring the payment of fees for the admission of the public or any class thereof to such facilities and property, and prescribing the amounts of such fees, and
  - (iii) providing for membership in the Museum and prescribing the qualifications and terms of membership and the fees, if any, to be paid therefor, and providing for and regulating meetings of the members;
- (b) appoint a Director of the Museum;
- (c) appoint, promote, transfer or remove an Associate Director or Associate Directors and all curators, officers and staff as are necessary for the proper conduct of the affairs of the Museum on the recommendation of the Director;
- (d) fix the duties, salaries and qualifications of office or employment and other emoluments of the Director, the Associate Director or Directors, curators, officers and members of the staff of the Museum;

(e)



- (e) provide for the retirement and superannuation of persons mentioned in clauses *b* and *c*;
- (f) appoint by resolution a trustee or trustees of the Board, or any other person or persons, to execute on behalf of the Board any documents and other instruments in writing and to affix the corporate seal of the Museum thereto;
- (g) pass a by-law authorizing the trustees to elect from among their number an executive committee consisting of not fewer than three and to delegate to the executive committee any powers of the Board, subject to the restrictions, if any, contained in the by-law or imposed from time to time by the trustees, and authorizing the trustees to fix the quorum of the executive committee at not less than a majority of its members;
- (h) appoint committees from the trustees of the Board and such other committees as are deemed desirable, and confer upon any such committees authority to act for the Board with respect to any matter or classes of matters;
- (i) establish, maintain and operate a museum and a planetarium and related facilities as required or convenient for carrying out the objects of the Museum;
- (j) enter into agreements with any association or organization having objects similar to those of the Museum;
- (k) enter into agreements with any governing body of a university, college or school,
  - (i) to provide for the interchange of staff, and
  - (ii) generally in other areas consistent with the objects of the Museum;
- (l) solicit, receive and hold gifts of every nature for any purpose related to the objects of the Museum upon such trusts and conditions as seem proper to the Board, and administer such gifts in accordance with such trusts and conditions; and
- (m) generally conduct and manage the business and affairs of the Museum.

**6.** The Director is the chief executive officer of the Museum and has general supervision over and direction of the operations of the Museum, and the Associate Director or Directors, curators, officers and staff thereof, and has such other powers and shall perform such other duties as from time to time may be conferred upon or assigned to him by the Board, and without limiting the generality of the foregoing,

Duties and  
powers of  
Director

- (a) shall make recommendations to the Board as to all appointments to and all promotions in, and removals from the staff of the Museum including the Associate Director or Directors, curators and officers;
- (b) may suspend the Associate Director or Directors, any curator, officer or member of the staff of the Museum, and, forthwith, after suspending any person, shall report his action to the Board with a statement of his reasons therefor; and
- (c) shall report annually to the Board on the affairs of the Museum and make such recommendations thereon as he deems necessary.

**7.—(1)** All property, real and personal, and the undertaking and assets, with all the rights, powers, privileges and immunities now vested in, owned, held, possessed or enjoyed by The Governors of the University of Toronto and which relate to the Unincorporated Institutions, including but not limited to the real property described in the Schedule hereto, are hereby vested in the Museum without the necessity of any other grant, conveyance, transfer, assignment or vesting thereof subject to the provisions of this Act, and the Museum shall assume, satisfy and perform all debts and obligations relating to such property, undertaking and assets and shall indemnify The Governors of the University of Toronto from such debts and obligations.

Transfer  
of assets

(2) Without limiting the generality of subsection 1, all gifts, devises, deeds, conveyances, transfers and leases of any real property or of any interest therein and all gifts, bequests, assignments, loans and transfers of any personal property or of any interest therein, which have been or shall hereafter be made or intended for The Governors of the University of Toronto for the purposes of any one or both of the Unincorporated Institutions are hereby vested in the Museum as fully and effectually as if any such gift, devise, deed, conveyance, transfer, lease, loan, bequest or assignment had been made to the Museum, but any property, real or personal, relating to any one or both of the Unincorporated Institutions and heretofore vested in The Governors of the University of

Rights  
to other  
assets

Toronto for any special purposes or trusts shall be held for such purposes and trusts, and with, under and subject to the same powers, obligations and provisions as are in force or declared under any statute, deed or other instrument affecting such property respectively and any property, real or personal, hereafter given, devised, bequeathed, assigned or transferred to or intended for the Museum or for any one or both of the Unincorporated Institutions, shall vest in the Museum and shall be held for the purposes and trusts and with, under and subject to the powers, obligations and provisions as are declared under any statute, deed or other instrument affecting such property respectively, and The Governors of the University of Toronto are hereby relieved of any liability in respect of such property under any such statute, deed or other instrument.

Present  
lands  
vested in  
the Museum  
subject to  
certain  
rights

(3) The lands heretofore used for any one or both of the Unincorporated Institutions, which are vested in the Museum by subsection 1, are subject to the right of The Governors of the University of Toronto at all times to maintain and operate the tunnels passing through such lands and the works connected therewith constructed for the purpose of the power plant and air conditioning plant of the University of Toronto and to keep them in repair, and the right at all times as occasion may require to enter upon such lands and the buildings thereon for the purpose of inspecting, maintaining and repairing such tunnels and works, and to do all things that may be necessary or convenient for that purpose.

Property  
R.S.O. 1960,  
c. 191

8. The Museum has, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy, any estate or property whatsoever, whether real or personal, and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require, and to acquire other estate or property in addition thereto or in place thereof without licence in mortmain and without limitation as to the period of holding.

Exemption  
from  
taxation

9. The Museum and its real and personal property, business and income are exempt from all assessment and taxation made, imposed or levied by or under the authority of any Act of the Legislature.

Property of  
Museum  
not liable  
to expro-  
priation

10. Real property vested in the Museum is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no

power to expropriate real property hereafter conferred shall extend to such property unless in the Act conferring the power it is made in express terms to apply thereto.

**11.**—(1) The Board may borrow money upon the credit of the Museum, and may issue bonds, debentures or other securities of the Museum, and may pledge or sell them for such sums or at such prices as may be deemed expedient or necessary, and may hypothecate, mortgage or pledge all or any of the real or personal property, rights or powers of the Museum to secure any bonds, debentures or other securities and any indebtedness of or money borrowed for the purposes of the Museum. <sup>Borrowing Powers</sup>

(2) The amount that may be borrowed under subsection 1 together with the total amount of any such borrowings that remain unpaid shall not exceed at any one time \$100,000 without the approval of the Lieutenant Governor in Council, but a lender is not bound to inquire as to the compliance by the Museum with this subsection and where any loan is made it shall be deemed to have been lawfully made under the authority of this section. <sup>Limitation</sup>

**12.** The property and the income, revenues, issues and profits of all property of the Museum shall be applied solely to achieving the objects of the Museum. <sup>Application of property</sup>

**13.** The funds of the Museum not immediately required for its purposes and the proceeds of all property that come to the Museum, subject to any trust or trusts affecting the same, may be invested and re-invested in such investments as the Board deems meet. <sup>Investment of funds</sup>

**14.** The accounts and financial transactions of the Museum shall be audited annually by an auditor or auditors appointed by the Board. <sup>Audit</sup>

**15.** The Board shall make a report annually to the Lieutenant Governor in Council and shall make such other reports as he may request from time to time. <sup>Report</sup>

**16.** Nothing in this Act authorizes the Board to alienate, hypothecate, mortgage or pledge any real or personal property given, devised or bequeathed with a condition annexed to such gift that the property shall not be alienated, hypothecated, mortgaged or pledged. <sup>Trust property</sup>

**17.** The following are repealed:

<sup>Repeal</sup>

(a) *The Royal Ontario Museum Act, 1947;*

1947, c. 96

(b)

1955, c. 74

(b) *The Royal Ontario Museum Amendment Act, 1955.*Commence-  
ment**18.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**19.** This Act may be cited as *The Royal Ontario Museum Act, 1968.*



## SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Toronto, in the County of York and Province of Ontario, being composed of Lots 50, 53 and part of Lot 70 according to a Plan filed in the Registry Office for the Registry Division of Toronto as No. D-178 the part of a Road closed by a Plan filed in the said Registry Office as No. 207E, Block B according to a Plan filed in the said Registry Office as No. 211E, Block A according to a Plan filed in the said Registry Office as No. 225E, and parts of Lots 1 and 2 according to a Plan filed in the said Registry Office as No. 452-E, the boundaries of the said parcel of land being described as follows:

COMMENCING at a point in the westerly limit of Queen's Park Drive, where the same is intersected by the southerly limit of Bloor Street West as widened by By-law No. 9416 of the Municipal Corporation of the City of Toronto, the said point of intersection being distant thirteen feet ten and one-quarter inches ( $13' 10\frac{1}{4}"$ ) more or less measured southerly along the said westerly limit from the northerly limit of lands included in the said Plan No. 452-E;

THENCE westerly along the southerly limit of Bloor Street West widened as aforesaid, a distance of one hundred and seventy-one feet seven and three-quarter inches ( $171' 7\frac{3}{4}"$ ) more or less to an angle therein;

THENCE continuing westerly along the said southerly limit of Bloor Street West, a distance of two hundred and seven feet one inch ( $207' 1"$ ) more or less to the point of intersection thereof with the westerly limit of the said Lot 2 according to Plan No. 452-E;

THENCE southerly along the last mentioned westerly limit a distance of five hundred and twenty feet four and one-quarter inches ( $520' 4\frac{1}{4}"$ ) more or less to the southwesterly angle of the said Lot 2;

THENCE easterly along the southerly limit of the said Lot 2, a distance of one hundred and eighty-five feet ( $185' 0"$ ) more or less to the southeasterly angle of Lot 2 aforesaid;

THENCE southerly along the westerly limit of the said Lot 70 according to Plan No. D-178, a distance of one hundred and one feet and one-half inch ( $101' 0\frac{1}{2}"$ ) more or less to a point therein distant fifty-eight feet six inches ( $58' 6"$ ) measured northerly thereon from the southerly limit of the said Lot 70;

THENCE easterly parallel with the said southerly limit of Lot 70, a distance of two hundred feet ( $200' 0"$ ) more or less to the point of intersection thereof with the said westerly limit of Queen's Park Drive;

THENCE northerly along the said westerly limit of Queen's Park Drive, a distance of six hundred and twenty-three feet four and three-quarter inches ( $623' 4\frac{3}{4}"$ ) more or less to the said point of commencement;

SUBJECT TO an easement for subway purposes in favour of The Municipality of Metropolitan Toronto as described in an Instrument filed in the said Registry Office as No. 122702 E.P.



## CHAPTER 120

## An Act to amend The Sandwich, Windsor and Amherstburg Railway Act, 1930

*Assented to April 11th, 1968*  
*Session Prorogued July 23rd, 1968*

HER Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 28 of *The Sandwich, Windsor and Amherstburg Railway Act, 1930* is repealed and the following substituted therefor: 1930, c. 17, s. 28, re-enacted

28.—(1) All claims, actions and demands arising from or relating to the construction, maintenance, operation, extension, alteration, repair, control and management of the railway or arising from the exercise of any of the powers of the Company, shall be made upon and brought against the Company and not upon or against any of the Corporations. Actions, etc., against Company

(2) Section 267 of *The Railways Act* applies to all actions for indemnity, or for any damage or injury sustained by reason of the construction or operation of the railway. Limitation of actions R.S.O. 1950, c. 331

(3) Subsection 2 applies to actions for damage or injury sustained after a date one year before the date on which *The Sandwich, Windsor and Amherstburg Railway Amendment Act, 1968* comes into force. Application of subsection 2 1968, c. 120

2. This Act comes into force on the day it receives Royal Assent. Commencement

3. This Act may be cited as *The Sandwich, Windsor and Amherstburg Railway Amendment Act, 1968*. Short title



CHAPTER 121

**An Act to amend  
The Schools Administration Act**

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 1 of section 1 of *The Schools Administration Act*, as amended by section 1 of *The Schools Administration Amendment Act, 1965*, is further amended by striking out “or board of education” in the third line and inserting in lieu thereof “board of education or divisional board of education”, so that the subsection shall read as follows:

R.S.O. 1960,  
c. 361, s. 1,  
subs. 1,  
amended

(1) In this Act, “board” means a public school board, separate school board, continuation school board, high school board, board of education or divisional board of education.

Interpre-  
tation, in  
this Act

(2) Subsection 2 of the said section 1 is amended by striking out “and the regulations thereunder” in the second line and by inserting after “Act” where it occurs the first time in the fourth line “and the regulations under any of such Acts”, so that the subsection, exclusive of the paragraphs, shall read as follows:

R.S.O. 1960,  
c. 361, s. 1,  
subs. 2,  
amended

(2) In this Act and in *The Department of Education Act*, *The Public Schools Act*, *The Separate Schools Act* and *The Secondary Schools and Boards of Education Act* and the regulations under any of such Acts, unless otherwise provided in the Act or regulations,

in school  
Acts  
R.S.O. 1960,  
cc. 94, 330,  
368, 362

. . . . .

(3) Subsection 2 of the said section 1 is further amended by adding thereto the following paragraph:

R.S.O. 1960,  
c. 361, s. 1,  
subs. 2,  
amended

32a. “school division” means the area in which a divisional board of education has jurisdiction.



R.S.O. 1960,  
c. 361, s. 1,  
subs. 2,  
par. 34,  
re-enacted

(4) Paragraph 34 of subsection 2 of the said section 1 is repealed and the following substituted therefor:

34. "school site" means any land or building required for a schoolhouse, school playground, school garden, teacher's residence, caretaker's residence, drill hall, gymnasium, offices, parking areas, offices of a board or for any other school purposes.

R.S.O. 1960,  
c. 361, s. 1,  
subs. 2,  
amended

(5) Subsection 2 of the said section 1 is further amended by adding thereto the following paragraph:

38a. "supervisory officer" includes a director of education and a superintendent of separate schools.

R.S.O. 1960,  
c. 361, s. 6,  
subs. 2,  
cl. c  
(1960-61,  
c. 92, s. 1),  
repealed

**2.—**(1) Clause *c* of subsection 2 of section 6 of *The Schools Administration Act*, as re-enacted by section 1 of *The Schools Administration Amendment Act, 1960-61*, is repealed.

R.S.O. 1960,  
c. 361, s. 6,  
subs. 2,  
cl. d,  
repealed

(2) Clause *d* of subsection 2 of the said section 6 is repealed.

R.S.O. 1960,  
c. 361, s. 13,  
repealed

**3.** Section 13 of *The Schools Administration Act*, as amended by section 6 of *The Schools Administration Amendment Act, 1967*, is repealed.

R.S.O. 1960,  
c. 361, s. 15,  
subs. 3,  
re-enacted

**4.** Subsection 3 of section 15 of *The Schools Administration Act* is repealed and the following substituted therefor:

Employ-  
ment during  
school hours

(3) A person who employs a child of compulsory school age during school hours is guilty of an offence and on summary conviction is liable to a fine of not more than \$25.

R.S.O. 1960,  
c. 361, s. 22,  
subs. 1,  
cl. e,  
re-enacted

**5.** Clause *e* of subsection 1 of section 22 of *The Schools Administration Act* is repealed and the following substituted therefor:

language of  
instruction

(e) in instruction and in all communications with the pupils in regard to discipline and the management of the school,

(i) to use the English language, except where it is impractical to do so by reason of the pupil not understanding English, and except in respect of instruction in a language other than English when such other language is being taught as one of the subjects in the course of study, or

- (ii) to use the French language in schools or classes in which French is the language of instruction except where it is impractical to do so by reason of the pupil not understanding French, and except in respect of instruction in a language other than French when such other language is being taught as one of the subjects in the course of study.

**6.** Subsection 3 of section 27 of *The Schools Administration Act* is amended by striking out "a representative to the Board of Reference" in the fifth line and inserting in lieu thereof "to the Board of Reference a representative who is not the teacher involved or a member of the board", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 361, s. 27,  
subs. 3,  
amended

- (3) Upon directing a judge to act as chairman of a Board of Reference, the Minister shall cause notice thereof to be sent by registered mail to the board and teacher involved in the disagreement and the notice shall require each of them to name to the Board of Reference a representative who is not the teacher involved or a member of the board, and to notify the Minister of such nomination by registered mail within ten days of the sending of the notice by the Minister.

Naming of  
representa-  
tives

**7.** Paragraph 9 of section 34 of *The Schools Administration Act* is amended by striking out "or required by the regulations" in the second line, so that the paragraph shall read as follows:

R.S.O. 1960,  
c. 361, s. 34,  
par. 9,  
amended

9. erect and maintain any wall or fence deemed necessary by the board for enclosure of the school premises.

erect fences

**8.—(1)** Section 35 of *The Schools Administration Act* is amended by adding thereto the following paragraph:

R.S.O. 1960,  
c. 361, s. 35,  
amended

- 16a. invest moneys not required immediately by the board in treasury bills or short-term bonds of the Government of Canada or Province of Ontario and in fixed-term deposits with any chartered bank, provided that the treasury bills, short-term bonds or deposit certificates become due and payable before the moneys invested therein are required by the board, and all interest thereon shall be credited to the fund from which the moneys were invested.

idem

(2) Paragraph 17 of the said section 35 is amended by inserting after "board" in the first line "its employees or any group thereof", so that the paragraph shall read as follows:

R.S.O. 1960,  
c. 361, s. 35,  
par. 17,  
amended

accident  
insurance

17. make provision for insuring the board, its employees or any group thereof, against claims in respect of accidents incurred by pupils while under the jurisdiction or supervision of the board.

R.S.O. 1960,  
c. 361, s. 35,  
par. 31  
(1962-63,  
c. 129, s. 2),  
re-enacted

- (3) Paragraph 31 of the said section 35, as enacted by section 2 of *The Schools Administration Amendment Act, 1962-63*, is repealed and the following substituted therefor:

accident,  
etc.,  
insurance  
R.S.O. 1960,  
c. 190

31. provide, by contract with an insurer licensed under *The Insurance Act*,

- i. group accident insurance to indemnify a member of a board or of an advisory committee appointed by a board or his estate against loss in case he is accidentally killed or injured; and
- ii. group public liability and property damage insurance to indemnify a member of a board or of an advisory committee appointed by a board or his estate in respect of loss or damage for which he has become liable by reason of injury to persons or property or in respect of loss or damage suffered by him by reason of injury to his own property,

while travelling on the business of the board or in the performance of his duties as a member of the board or of an advisory committee either within or outside the area over which the board has jurisdiction.

R.S.O. 1960,  
c. 361, s. 35,  
amended

- (4) The said section 35 is amended by adding thereto the following paragraph:

agreements  
for joint  
use of  
facilities

39. enter into an agreement with a municipal council or local board in respect of the joint use of educational and municipal facilities.

R.S.O. 1960,  
c. 361,  
amended

9. *The Schools Administration Act* is amended by adding thereto the following section:

French-  
language  
elementary  
schools and  
classes

- 35d.—(1) A divisional board of education, public school board or separate school board may establish and maintain elementary schools or classes in elementary schools, including kindergarten classes, for the purpose of providing for the use of the French language in instruction of French-speaking pupils.

- (2) Where ten or more French-speaking ratepayers of a school division, school section or separate school zone apply in writing to the board thereof for the use of the French language in instruction of French-speaking pupils, and, <sup>Request by parents for French-language school or classes</sup>
- (a) the parents or guardians of thirty or more French-speaking pupils in the primary, junior or intermediate division elect to have such pupils taught in the French language, and such pupils can be assembled for this purpose in a class or classes as part of a school, the board shall provide for the use of the French language in instruction in such class or classes; and
  - (b) in the opinion of the board the number of such French-speaking pupils so warrants, the board shall provide for the use of the French language in instruction in a French-language elementary school.
- (3) Where French is the language of instruction in a public or separate school and ten or more English-speaking ratepayers of the school division, school section or separate school zone apply in writing to the board thereof for the use of the English language in instruction of English-speaking pupils, and, <sup>Request by parents for English-language school or classes</sup>
- (a) the parents or guardians of thirty or more English-speaking pupils in the primary, junior or intermediate division elect to have such pupils taught in the English language, and such pupils can be assembled for this purpose in a class or classes as part of a school, the board shall provide for the use of the English language in instruction in such class or classes; and
  - (b) in the opinion of the board the number of such English-speaking pupils so warrants, the board shall provide for the use of the English language in instruction in an English-language elementary school.
- (4) Notwithstanding subsections 1 and 2, English may be a subject of instruction in any grade and in any case shall be a subject of instruction in Grades 5, 6, 7 and 8. <sup>English subject of instruction</sup>



Admission  
of pupils  
other than  
French-  
speaking  
pupils

- (5) On the request of a parent or guardian of a pupil, a board may admit such pupil to classes formed by it under subsection 1 or 2 if such pupil has a right to attend a school operated by the board and the principal is satisfied that the attendance of such pupil will not delay the progress of the French-speaking pupils.

R.S.O. 1960,  
c. 361, s. 36  
(1964,  
c. 105, s. 8),  
subs. 1,  
re-enacted

10.—(1) Subsection 1 of section 36 of *The Schools Administration Act*, as re-enacted by section 8 of *The Schools Administration Amendment Act, 1964* and amended by subsection 1 of section 7 of *The Schools Administration Amendment Act, 1966*, is repealed and the following substituted therefor:

Honorarium  
for trustees

- (1) A board may pay to each trustee, except trustees who are not entitled to vote on a motion that affects public schools exclusively, for each month an honorarium not exceeding an amount based on the enrolment on the 30th day of September in the preceding year in all the schools which, on the 1st day of January of the current year, are operated by the board, as follows:

Enrolment	Maximum Monthly Honorarium
Fewer than 100.....	\$ 10
100 or more but fewer than 500.....	25
500 " " " " " 2,000.....	50
2,000 " " " " " 5,000.....	100
5,000 " " " " " 15,000.....	150
15,000 " " " " " 30,000.....	200
30,000 " " " " " 60,000.....	250
60,000 or more.....	300

R.S.O. 1960,  
c. 361, s. 36  
(1964,  
c. 105, s. 8),  
subs. 2,  
re-enacted

(2) Subsection 2 of the said section 36, as amended by subsection 1 of section 5 of *The Schools Administration Amendment Act, 1965*, is repealed and the following substituted therefor:

Trustees for  
secondary  
school  
purposes  
only

- (2) A board of education may pay to each trustee who is not entitled to vote on a motion that affects public schools exclusively, an honorarium for each month not exceeding the amount provided in subsection 1 based on the enrolment on the 30th day of September in the preceding year in all secondary schools which, on the 1st day of January of the current year, are operated by the board.

R.S.O. 1960,  
c. 361, s. 36,  
subs. 2a  
(1966,  
c. 140, s. 7,  
subs. 2),  
amended

(3) Subsection 2a of the said section 36, as enacted by subsection 2 of section 7 of *The Schools Administration Amendment Act, 1966*, is amended by striking out "25 per cent" in the third line and inserting in lieu thereof "one-third", so that the subsection shall read as follows:

(2a)



- (2a) A board may pay to its chairman, in addition to any Chairman, additional honorarium that may be paid to him as trustee, an additional honorarium not exceeding one-third of the honorarium that may be paid to him as trustee.

R.S.O. 1960,  
c. 361, s. 36  
(1964,  
c. 105, s. 8),  
subs. 3,  
re-enacted

- (4) Subsection 3 of the said section 36 is repealed and the following substituted therefor:

- (3) A board of education may pay to each member of an advisory vocational committee appointed by the board, who is not a trustee, an honorarium for each month not exceeding one-half of the amount provided in subsection 1 based on the enrolment on the 30th day of September in the preceding year in all secondary schools which, on the 1st day of January of the current year, are operated by the board.

Members of  
advisory  
vocational  
committees

- (5) Subsection 5 of the said section 36 is amended by striking out "his actual expenses for transportation, room and meals" in the fourth and fifth lines and inserting in lieu thereof "for his actual expenses incurred on business of the board", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 361, s. 36  
(1964,  
c. 105, s. 8),  
subs. 5,  
amended

- (5) A board may authorize a trustee, teacher or official of the board to travel on designated business of the board, and may reimburse the trustee, teacher or official for his actual expenses incurred on business of the board, or such lesser amount as may be determined by the board.

Expenses  
for  
authorized  
travel on  
board  
business

- (6) Subsection 7 of the said section 36, as enacted by subsection 2 of section 5 of *The Schools Administration Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 361, s. 36,  
subs. 7  
(1965,  
c. 118, s. 5,  
subs. 2),  
re-enacted

- (7) Subsections 4, 5 and 6 apply *mutatis mutandis* to members of,

Advisory  
committee  
members

- (a) an advisory vocational committee;
- (b) an advisory committee on schools for trainable retarded children; and
- (c) a French-language committee for secondary school purposes,

who are not members of the board.

R.S.O. 1960,  
c. 361, s. 37,  
subs. 6  
(1965,  
c. 118, s. 6,  
subs. 4),  
re-enacted

**11.**—(1) Subsection 6 of section 37 of *The Schools Administration Act*, as enacted by subsection 4 of section 6 of *The Schools Administration Amendment Act, 1965* and amended

by

by subsection 1 of section 12 of *The Schools Administration Amendment Act, 1967*, is repealed and the following substituted therefor:

Boarding of  
secondary  
school  
pupils  
residing in  
territorial  
district

- (6) Where a pupil resides in a school section or separate school zone in a territorial district but not in a school division with his parent or guardian in a residence that is fifteen miles or more by road or rail from a secondary school that he is eligible to attend, an elementary school board may, in lieu of providing daily transportation to and from school under subsection 2, reimburse the parent or guardian at the end of each month for the cost of providing for such pupil board, lodging, and transportation once a week from his residence to school and return, in an amount set by the board for each day of attendance as certified by the principal of the secondary school that the pupil attends.

R.S.O. 1960,  
c. 361, s. 37,  
subs. 7  
(1966,  
c. 140, s. 8),  
re-enacted

(2) Subsection 7 of the said section 37, as enacted by section 8 of *The Schools Administration Amendment Act, 1966* and amended by subsection 2 of section 12 of *The Schools Administration Amendment Act, 1967*, is repealed and the following substituted therefor:

Idem

- (7) Where a pupil resides in a territorial district but not in a school section, a separate school zone or a school division, with his parent or guardian in a residence that is fifteen miles or more by road or rail from a secondary school that he is eligible to attend, the board of the secondary school that he attends may reimburse the parent or guardian at the end of each month for the cost of providing for such pupil board, lodging, and transportation once a week from his residence to school and return, in an amount set by the board for each day of attendance as certified by the principal of the secondary school that the pupil attends.

R.S.O. 1960,  
c. 361, s. 37,  
subs. 8  
(1966,  
c. 140, s. 8),  
re-enacted

(3) Subsection 8 of the said section 37, as enacted by section 8 of *The Schools Administration Amendment Act, 1966* and amended by subsection 3 of section 12 of *The Schools Administration Amendment Act, 1967*, is repealed and the following substituted therefor:

Idem

- (8) Where a pupil resides with his parent or guardian in a school division in a residence that,

(a) in a territorial district is fifteen miles or more; or

(b) in a county is thirty miles or more,

by

by road or rail from a secondary school that he attends under section 30 or 66 or that he has a right to attend under section 68 or 97 of *The Secondary Schools and Boards of Education Act*, or where a pupil resides with his parent or guardian on an island in a school division, the board of the school division of which he is a resident pupil may, in lieu of providing daily transportation to and from the secondary school that he attends, reimburse the parent or guardian at the end of each month for the cost of providing for such pupil board, lodging and transportation once a week from his residence to school and return, in an amount set by the board for each day of attendance as certified by the principal of the secondary school that the pupil attends.

R.S.O. 1960,  
c. 362

(4) Subsection 9 of the said section 37, as enacted by subsection 4 of section 12 of *The Schools Administration Amendment Act, 1967*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 361, s. 37,  
subs. 9  
(1967,  
c. 90, s. 12,  
subs. 4),  
re-enacted

(9) Where a secondary school pupil resides in a territorial district in a school division with his parent or guardian in a residence that is fifteen miles or more by road or rail from a secondary school in which the subject of French, taught as a subject for students who normally speak the French language, is offered as one of the subjects of the courses of study, an elementary school board may reimburse the parent or guardian at the end of each month for the cost of providing for such pupil, when not so provided by the secondary school board, board, lodging and transportation once a week from his residence to school and return, in an amount set by the board for each day of attendance as certified by the principal of the secondary school that the pupil attends, or may furnish transportation for such pupil in lieu thereof.

Boarding  
and trans-  
portation of  
secondary  
school  
pupils in a  
territorial  
district  
taking  
"français"  
subject

(5) The said section 37, as amended by section 9 of *The Schools Administration Amendment Act, 1964*, section 6 of *The Schools Administration Amendment Act, 1965*, section 8 of *The Schools Administration Amendment Act, 1966* and section 12 of *The Schools Administration Amendment Act, 1967*, is further amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 361, s. 37,  
amended

(10) Where a pupil resides in a territorial district but not in a school section or a separate school zone, with his parent or guardian in a residence from which

Boarding of  
elementary  
school  
pupils  
residing in  
territorial  
district

daily

daily transportation to and from an elementary school that he may attend is impracticable due to distance or terrain, as certified by the inspector of the elementary school nearest such residence, the board of the elementary school that he attends may reimburse the parent or guardian at the end of each month for the cost of providing for such pupil, board, lodging and transportation once a week from his residence to school and return, in an amount set by the board for each day of attendance as certified by the principal of the elementary school that the pupil attends.

R.S.O. 1960,  
c. 361, s. 38,  
amended

**12.** Section 38 of *The Schools Administration Act*, as amended by section 7 of *The Schools Administration Amendment Act, 1965*, is further amended by adding thereto the following subsections:

Application  
of 1961-62,  
c. 97, to  
employees  
of newly  
organized  
board

(3) An employee of a divisional board of education who was a contributor or who was entitled to be a contributor under *The Ontario Municipal Employees Retirement System Act, 1961-62*, by reason of his employment with a former board on the 31st day of December, 1968, shall continue to be a contributor or to be entitled to be a contributor, as the case may be, and the divisional board shall assume in respect of such employee all the rights and obligations of the former board, but in respect of other employees, the divisional board, before such employees may participate under such Act, shall pass a resolution electing to become a participant under such Act, as required by the regulations made thereunder, and stating the effective date.

Assumption  
by board of  
rights and  
obligations  
of former  
board  
R.S.O. 1960,  
c. 249

(4) A divisional board of education that is required to make the contribution of a former board to an approved pension plan, as defined in section 248c of *The Municipal Act*, in respect of an employee who was a contributor to such approved pension plan on the 31st day of December, 1968, shall assume all the rights and obligations of such former board under the approved pension plan in respect of such employee.

R.S.O. 1960,  
c. 361, s. 39  
(1967,  
c. 90, s. 13),  
amended

**13.** Section 39 of *The Schools Administration Act*, as re-enacted by section 13 of *The Schools Administration Amendment Act, 1967*, is amended by adding thereto the following subsection:

Exception

(6) Notwithstanding subsection 5, intervening employment with the Department of Education does not preclude the application of subsections 2 and 3.



**14.** Subsection 3 of section 41 of *The Schools Administration Act* is amended by inserting after "of" where it occurs the first time in the second line "twice", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 361, s. 41,  
subs. 3,  
amended

- (3) No resolution under this section authorizes contributions by the board in excess of twice the total of those made by the employees.

Contributions

**15.** Subsection 7 of section 43 of *The Schools Administration Act* is repealed.

R.S.O. 1960,  
c. 361, s. 43,  
subs. 7,  
repealed

**16.** Subsection 1 of section 66a of *The Schools Administration Act*, as enacted by section 14 of *The Schools Administration Amendment Act, 1965* and amended by section 20 of *The Schools Administration Amendment Act, 1967*, is further amended by striking out "attendance" in the first line and inserting in lieu thereof "enrolment", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 361, s. 66a  
(1965,  
c. 118,  
s. 14),  
subs. 1,  
amended

- (1) A board that had an average daily enrolment of 10,000 or more in the preceding year in the schools under its jurisdiction may acquire by purchase or otherwise land in any municipality for the purpose of erecting a natural science school, and may build and operate such a school thereon.

Natural  
science  
schools

**17.** Section 81 of *The Schools Administration Act*, as re-enacted by section 13 of *The Schools Administration Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 361, s. 81  
(1966,  
c. 140,  
s. 13),  
re-enacted

- 81.—(1) Every divisional board that is required to appoint a director of education, every combined separate school board that is required to appoint a superintendent of separate schools, every board of education for an area municipality as defined in *The Municipality of Metropolitan Toronto Act* and the board of every school section or separate school zone that was a municipal inspectorate on the 31st day of December, 1968 and that is not dissolved on the 1st day of January, 1969, shall employ such supervisory officers as it deems necessary to supervise adequately all aspects of the programmes under its jurisdiction, and the persons so employed shall hold the qualifications required by the regulations.

Supervisory  
officers

R.S.O. 1960,  
c. 260

- (2) The provisions of this or any other Act respecting inspectors and municipal inspectors apply to supervisory officers.

Idem



Idem

- (3) A board other than a board referred to in subsection 1 may, with the approval of the Minister, appoint one or more supervisory officers who shall hold the qualifications required by the regulations.

R.S.O. 1960,  
c. 361, s. 82  
(1966,  
c. 140,  
s. 14),  
re-enacted

**18.** Section 82 of *The Schools Administration Act*, as re-enacted by section 14 of *The Schools Administration Amendment Act, 1966*, is repealed and the following substituted therefor:

Appoint-  
ment of  
supervisory  
officers

- 82.—(1) Where a board appoints one or more supervisory officers, the board,

(a) shall designate the title and the area of responsibility of each such officer;

(b) shall appoint an English-speaking supervisory officer for schools and classes where English is the language of instruction, and a French-speaking supervisory officer for schools and classes where French is the language of instruction, or shall arrange with another board or with the Minister for the services of an English-speaking supervisory officer or a French-speaking supervisory officer where such officer is not appointed by the board; and

(c) may assign to a supervisory officer such administrative duties, in addition to those prescribed in the regulations, as the board deems expedient.

Approval of  
Minister

- (2) The appointment or removal of a supervisory officer is not effective until approved by the Minister.

Chief  
executive  
officer

- (3) Where a board appoints a director of education or a superintendent of separate schools, in addition to being the chief education officer, he shall be the chief executive officer of the board.

R.S.O. 1960,  
c. 361, s. 99,  
subs. 2,  
re-enacted

**19.** Subsection 2 of section 99 of *The Schools Administration Act* is repealed and the following substituted therefor:

Liability  
of parties  
for costs

- (2) Such arbitrators shall determine the costs of the arbitration and shall direct to whom and by whom and in what manner such costs or any part thereof, and the fees under subsection 3, shall be paid, and such determination and direction is final.

- (2a) An arbitrator is entitled to an allowance of 10 cents <sup>Expenses</sup> for each mile necessarily travelled by him to and from his residence to attend meetings of arbitrators together with his actual expenses for room and meals, incurred while attending such meetings, and such costs shall be included in the costs of the arbitration.

**20.** Section 99a of *The Schools Administration Act*, as enacted by section 21 of *The Schools Administration Amendment Act, 1967*, is repealed. R.S.O. 1960,  
c. 361, s. 99a  
(1967,  
c. 90, s. 21),  
repealed

**21.** Clause b of subsection 1 of section 100a of *The Schools Administration Act*, as re-enacted by section 22 of *The Schools Administration Amendment Act, 1967*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 361,  
s. 100a,  
subs. 1  
(1967,  
c. 90, s. 22),  
cl. b,  
re-enacted

- (b) by ascertaining the total gross revenue from all sources, excluding taxation, tuition fees, costs recoverable from Ontario, and legislative grants except those in respect of library books and textbooks.

**22.** Section 108 of *The Schools Administration Act*, as enacted by section 11 of *The Schools Administration Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960,  
c. 361, s. 108  
(1964,  
c. 105,  
s. 11),  
re-enacted

108. The council of every local municipality, every public school board that has jurisdiction only in territory without municipal organization, every divisional board that has jurisdiction in any territory without municipal organization that is deemed a district municipality in a school division, and every separate school board in each year shall levy or cause to be levied on the whole of the assessment for real property and business assessment for public, secondary and separate school purposes, as the case may be, according to the last revised assessment roll, the rates determined for each public, secondary and separate school board having jurisdiction in the municipality, or a part thereof, or in territory without municipal organization, as the case may be. Levying  
of school  
rates

**23.** Part XII of *The Schools Administration Act*, as enacted by section 12 of *The Schools Administration Amendment Act, 1964* and amended by sections 23 and 24 of *The Schools Administration Amendment Act, 1967*, is repealed. R.S.O. 1960,  
c. 361,  
Part XII  
(ss. 110-  
120),  
(1964,  
c. 105,  
s. 12),  
repealed

Commence-  
ment

**24.**—(1) This Act, except sections 9, 10, 11, 14, 20, 22 and 23, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 9, 10, 11, 14, 20, 22 and 23 come into force on the 1st day of January, 1969.

Short title

**25.** This Act may be cited as *The Schools Administration Amendment Act, 1968*.

## CHAPTER 122

# An Act to amend The Secondary Schools and Boards of Education Act

*Assented to, except section 9, July 23rd, 1968*

*Section 9 assented to June 13th, 1968*

*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Part I of *The Secondary Schools and Boards of Education Act*, as amended by section 1 of *The Secondary Schools and Boards of Education Amendment Act*, 1961-62, sections 1 and 2 of *The Secondary Schools and Boards of Education Amendment Act*, 1962-63 and section 2 of *The Secondary Schools and Boards of Education Amendment Act*, 1964, is repealed. R.S.O. 1960, c. 362, Part I (ss. 2-7), repealed

2. Section 34 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 7 of *The Secondary Schools and Boards of Education Amendment Act*, 1965 and amended by section 5 of *The Secondary Schools and Boards of Education Amendment Act*, 1967, is further amended by adding thereto the following subsection:

- (3) The council of each municipality shall annually account for all moneys collected for secondary school purposes, and the sum required by the board of the secondary school district for school purposes shall be paid over to the board not later than the 15th day of December, and any sum collected in excess of the sum required by the board for school purposes shall be retained by the municipality and applied to reduce the sum that the municipality is required by such board to raise for school purposes in the following year. Municipality to account for moneys

3. Subsections 3 and 4 of section 66 of *The Secondary Schools and Boards of Education Act*, as enacted by section 10 of *The Secondary Schools and Boards of Education Amendment Act*, 1962-63, are repealed. R.S.O. 1960, c. 362, s. 66, subss. 3, 4 (1962-63, c. 130, s. 10), repealed

R.S.O. 1960,  
c. 362, s. 68  
(1964,  
c. 106,  
s. 15),  
subs. 2,  
amended

4.—(1) Subsection 2 of section 68 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 15 of *The Secondary Schools and Boards of Education Amendment Act, 1964* and amended by subsections 1, 2, 3 and 4 of section 13 of *The Secondary Schools and Boards of Education Amendment Act, 1967*, is further amended by striking out “or” at the end of clause *f*, by adding “or” at the end of clause *g*, and by adding thereto the following clause:

(*h*) to take a subject or course in a French-language school or class if the subject or course is not available in the French language in the secondary school district in which he is resident.

R.S.O. 1960,  
c. 362, s. 68,  
subs. 6  
(1967,  
c. 91, s. 13,  
subs. 6),  
amended

(2) Subsection 6 of the said section 68, as re-enacted by subsection 6 of section 13 of *The Secondary Schools and Boards of Education Amendment Act, 1967*, is amended by striking out “and *g*” in the first line and inserting in lieu thereof “*g* and *h*”.

R.S.O. 1960,  
c. 362, s. 70,  
subs. 2  
(1965,  
c. 119,  
s. 15,  
subs. 1),  
amended

5. Subsection 2 of section 70 of *The Secondary Schools and Boards of Education Act*, as re-enacted by subsection 1 of section 15 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, is amended by inserting after “68” in the sixth line “or under section 97” and by striking out “subsection 1 of” in the tenth line, so that the subsection shall read as follows:

Fees  
payable

(2) Where a resident pupil of a secondary school district attends a secondary school in another secondary school district pursuant to an agreement under subsection 2 of section 30 or under subsection 1 of section 66 or which he has a right to attend under subsection 2 of section 68 or under section 97, the board of the secondary school district of which he is a resident pupil shall pay fees to the board that operates the secondary school attended by the pupil, calculated in accordance with section 100*a* of *The Schools Administration Act*.

R.S.O. 1960,  
c. 361

R.S.O. 1960,  
c. 362, s. 76,  
repealed

6. Section 76 of *The Secondary Schools and Boards of Education Act*, as amended by subsection 2 of section 10 of *The Secondary Schools and Boards of Education Amendment Act, 1966* and section 14 of *The Secondary Schools and Boards of Education Amendment Act, 1967*, is repealed.



7. Section 77 of *The Secondary Schools and Boards of Education Act*, as amended by section 15 of *The Secondary Schools and Boards of Education Amendment Act, 1967*, is repealed. R.S.O. 1960, c. 362, s. 77, repealed

8. *The Secondary Schools and Boards of Education Act* is amended by adding thereto the following Part: R.S.O. 1960, c. 362, amended

## PART VI

### DIVISIONAL BOARDS OF EDUCATION

81.—(1) In this Part,

Interpre-  
tation

- (a) "city" includes a separated town, but does not include a defined city or an area municipality as defined in *The Municipality of Metropolitan Toronto Act* or in *The Regional Municipality of Ottawa-Carleton Act, 1968*; R.S.O. 1960, c. 260; 1968, c. 115
- (b) "county" includes a provisional county and a united county;
- (c) "county municipality" means a municipality that forms part of a county for municipal purposes;
- (d) "defined city" means,
  - (i) the City of Hamilton,
  - (ii) the City of London, and
  - (iii) the City of Windsor,
- (e) "district municipality" means a municipality, except a city, in a territorial district;
- (f) "divisional board" means a divisional board of education established under this Part;
- (g) "public school elector" in a school division means a person entered on,

(i)

- (i) the last revised voters' list as qualified to vote at the municipal elections of a municipality, or
- (ii) the last revised assessment roll, or the wife or husband of such person, in a school section or a secondary school district in territory without municipal organization,

within the school division, and who is not a supporter of a separate school;

- (h) "school division" means a school division established by or under this Part;
- (i) "separate school supporter" means a person who is resident in a school division and is entered on,

- (i) the last revised voters' list as qualified to vote at the municipal elections of a municipality, or

- (ii) the last revised assessment roll in a separate school zone in territory without municipal organization,

within the school division, and who is a supporter of separate schools for Roman Catholics or who, being a Roman Catholic, is the wife or husband of a supporter of such separate schools, and is entitled to vote at the election of trustees of separate schools.

Essex  
county

- (2) For the purposes of this Part, the County of Essex includes Pelee Island.

Territory  
without  
municipal  
organization,  
deemed  
district  
municipality

- (3) For the purposes of this Part,

- (a) every school section now in existence that comprises only territory without municipal organization, except a school section established under section 12 of *The Public Schools Act* or under subsection 4a of section 51 of this Act; and

R.S.O. 1960,  
c. 330

(b)

- (b) any part of territory without municipal organization that is now part of a high school district but is not in a school section,

shall be deemed to be a district municipality.

- (4) The divisional board of a school division that includes territory without municipal organization that is deemed a district municipality shall exercise the powers and duties of a municipal council for such district municipality with respect to preparing estimates, assessing, court of revision, levying rates, collecting taxes and issuing debentures for the purposes of the divisional board and with respect to the election of members of the divisional board and all the officers appointed by the divisional board have the same powers and duties as similar officers in an organized municipality and the provisions of subsections 6 to 11 of section 26 apply *mutatis mutandis*.

Powers and duties of divisional board re territory without municipal organization

- (5) Subject to subsection 6, where any part of territory without municipal organization is now attached for public school purposes to a municipality, such part of territory without municipal organization shall, for public and secondary school purposes, be deemed to be attached to such municipality for the purposes of this Part, and the officers of such municipality shall make all assessments and collect all taxes and do all such other acts and perform all such duties and be subject to the same liabilities with respect to the part of the territory without municipal organization forming part of the school division as with respect to any part of the school division that is within the municipality, and subsection 2 of section 59 of *The Public Schools Act* applies *mutatis mutandis*.

Parts of territory without municipal organization attached to municipality

R.S.O. 1960, c. 330

- (6) Where any part of territory without municipal organization is attached under subsection 5 to a municipality, and such part is included under subsection 9 of section 92 with one or more municipalities in a combined area for the election of one or more members of the divisional board and the combined area does not include the municipality to which such part is so attached, such part for the purposes of subsection 5 shall be deemed to be attached to the municipality that has the greatest residential and farm assessment in the combined area according to the last revised assessment roll

Idem

as adjusted by the application of the equalization factor, based on such assessment, provided by the Department of Municipal Affairs.

Elections in  
improve-  
ment  
districts

- (7) The trustees of an improvement district that forms all or part of a school division, in each year in which an election for members of the divisional board is to be held, shall provide for such election in the improvement district in the same manner as for the election of trustees in a municipality and the secretary-treasurer of the improvement district shall be the clerk and returning officer and has all the powers and shall perform all the duties of the clerk and returning officer of a municipality in relation to the preparation of a voters' list and the election of members of a divisional board under *The Municipal Act* and *The Voters' Lists Act* which apply *mutatis mutandis*.

R.S.O. 1960,  
cc. 249, 420

School  
divisions,  
in counties

82.—(1) On and after the 1st day of January, 1969,

(a) every defined city; and

(b) every county, including all municipalities situate therein, except,

(i) a defined city, and

(ii) an area municipality as defined in *The Municipality of Metropolitan Toronto Act* or in *The Regional Municipality of Ottawa-Carleton Act, 1968*,

R.S.O. 1960,  
c. 260;  
1968,  
c. 115

is a school division.

in terri-  
torial  
districts

(2) The Lieutenant Governor in Council may by regulation,

(a) designate any area in the territorial districts as a school division;

(b) assign a name to the divisional board for each such school division;

(c) alter the boundaries of any such school division, and where any part of territory without municipal organization is attached to such a school division, designate such part as a district municipality or attach it to a district municipality.

- (3) For the purposes of every Act, a school division shall be deemed to be a school section and a high school district. deemed public school section and high school district
- 83.—(1) A divisional board of education shall be established in each school division, and the members of the board shall be elected and the board organized in accordance with this Part. Divisional boards, establishment
- (2) Every divisional board is a corporation and has all the powers and shall perform all the duties that by this or any other Act are conferred or imposed upon a public school board or a high school board, and, except where inconsistent with this Part, for the purposes of every Act, shall be deemed to be, Powers and duties
- (a) a high school board for high school purposes; and
- (b) a public school board for public school purposes.
- (3) The name of a divisional board that has jurisdiction in a defined city is "The Board of Education for the City of . . . ." (*inserting the name of the defined city*). Name of board, defined city
- (4) The name of a divisional board that has jurisdiction in one county is "The . . . County Board of Education" (*inserting the name of the county*). county
- (5) The name of a divisional board that has jurisdiction in the territorial districts is "The . . . Board of Education" (*inserting the name assigned by the regulations*). territorial districts
- (6) A member of a divisional board who is elected by separate school supporters is a trustee for secondary school purposes only and shall not vote on a motion that affects public schools exclusively, and all other members of a divisional board are trustees for public and secondary school purposes. Members to be trustees
- 84.—(1) In this section, "board" means a public school board, high school board, collegiate institute board, board of education or continuation school board. Interpretation
- (2) Upon the organization of a divisional board of a school division of a defined city and in respect of divisional boards of all other school divisions on the 1st day of January, 1969, Assets, liabilities, etc.



- (a) all boards that have jurisdiction wholly or partly in the school division are dissolved;
- (b) subject to subsection 3, all real and personal property vested in such boards and situate in the school division becomes vested in the divisional board;
- (c) all debts, contracts, agreements and liabilities for which such boards were liable, except employment contracts with teachers, become obligations of the divisional board or boards as provided by the arbitrators under subsections 3 and 4;
- (d) the audited surplus or deficit as at the 31st day of December, 1968, of each such board shall accrue to the credit of, or become the responsibility of, the assessment supporting such board on the 31st day of December, 1968, and shall be apportioned by the arbitrators under this section among the municipalities or parts thereof comprising the area of jurisdiction of such board in the same proportion as the requisition for the year 1968 was apportioned among such municipalities or parts;
- (e) the employment contract of every teacher who, immediately before the 1st day of January, 1969, was required to teach only in one or more schools included in the school division becomes an obligation of the divisional board of the school division; and
- (f) the employment contract of every teacher who, immediately before the 1st day of January, 1969, was required to teach in one or more schools in the school division and in one or more schools in one or more other school divisions becomes an obligation of such divisional board as is provided by the arbitrators under subsection 4.

Arbitration ✕

- (3) Each divisional board shall, on or before the 15th day of March, 1969, appoint three or five arbitrators, who are not members of the divisional board or of a municipal council that has jurisdiction in the school division, who shall value and adjust in an equitable manner the assets and liabilities, as of the 31st day of December, 1968, of the boards that, before

they

they were dissolved under subsection 2, had jurisdiction wholly in the school division in which the divisional board has jurisdiction.

- (4) Where a board that is dissolved under subsection 2 <sup>Idem</sup> had jurisdiction in an area that after the 1st day of January, 1969, forms part of two or more school divisions, each divisional board shall, on or before the 15th day of March, 1969, designate two of the arbitrators appointed by it under subsection 3 who shall collectively value and adjust in an equitable manner the assets and liabilities of such board as of the 31st day of December, 1968, and shall apportion in an equitable manner the obligations under clauses *c* and *f* of subsection 2.
- (5) The arbitrators under subsection 4 shall appoint an additional arbitrator, and if the arbitrators fail to make such appointment before the 1st day of April, 1969, the Minister may make such appointment. <sup>Appointment of additional arbitrator</sup>
- (6) Where a majority of the arbitrators is unable to reach a decision on any matter, such matter shall be referred by the divisional board or boards to the Ontario Municipal Board whose decision is final. <sup>Referral to O.M.B.</sup>
- (7) The decision of a majority of the arbitrators under subsection 3 or 4 is final and such decision shall be made on or before the 31st day of December, 1969, but shall not be effective before the 1st day of January, 1970, except that the decision in respect of a teacher's contract under clause *f* of subsection 2 shall be made on or before the 1st day of May, 1969. <sup>Decision of arbitrators</sup>
- (8) Where an employee of a board that, before the 1st day of June, 1968, has established a sick leave credit plan becomes, on the 1st day of January, 1969, an employee of a divisional board, the divisional board shall place to the credit of the employee the sick leave credits and the termination of employment benefits standing to his credit in the plan of the first-mentioned board. <sup>Sick leave credits</sup>
- (9) Notwithstanding the dissolution of a board under subsection 2, a divisional board shall, by resolution, constitute any or all members of such former board that immediately prior to the 1st day of January, 1969, operated a school or schools in the school division and who are not members of a divisional <sup>Committee during transitional period</sup>

board, as a committee of the divisional board in respect of their former jurisdiction, and shall delegate such of its powers and duties in respect of any matter or purpose other than policy, organization and planning, for such period of time as the divisional board may determine and may terminate such delegation at any time but not later than the 30th day of June, 1969, and may pay to such a former board member a monthly honorarium equivalent to that to which he was entitled as a member of the former board in the month of December, 1968.

Estimates

85.—(1) Every divisional board in each year shall prepare and adopt estimates of all sums required during the year for public school purposes and for secondary school purposes respectively, and such estimates,

- (a) shall set forth the estimated revenues and expenditures of the board including debt charges payable by the divisional board or on its behalf by the council of a municipality or a county;
- (b) shall make due allowance for a surplus of any previous year that will be available during the current year;
- (c) shall provide for any deficit of any previous year;
- (d) may provide for expenditures for permanent improvements, provided that the total of expenditures for permanent improvements referred to in subparagraphs i, ii, iii and vii of paragraph 25 of subsection 2 of section 1 of *The Schools Administration Act*,

R.S.O. 1960,  
c. 361

- (i) for secondary school purposes shall not exceed a sum calculated at one mill in the dollar upon the total assessment of the school division according to the last revised assessment roll as equalized by the application of the equalization factor provided by the Department of Municipal Affairs, and
- (ii) for public school purposes shall not exceed a sum calculated at one mill in the dollar upon the total assessment of the taxable property of public school

supporters in the school division according to the last revised assessment roll as equalized by the application of the equalization factor provided by the Department of Municipal Affairs;

- (e) may provide for a reserve for working funds of a sum not in excess of 5 per cent of the expenditures of the board for the preceding year, but, where the sum accumulated in the reserve is equal to or more than 20 per cent of such expenditures, no further sum shall be provided,

and shall submit to the council of each municipality in the school division on or before the 1st day of March in each year a statement indicating the amount of the estimates for public school purposes and for secondary school purposes to be raised by each municipality and a requisition of the amount of the estimates for public school purposes and for secondary school purposes required to be raised by the municipality.

- (2) Every divisional board in the year 1969 may provide for a reserve for working funds of a sum not in excess of 5 per cent of the estimated expenditures of the board for the year 1969. Reserve for working funds in estimates for 1969

86.—(1) In this section,

Interpretation

- (a) “assessment” means the assessment upon which taxes are levied in the year preceding the year in which the proportion to be determined will be payable;
- (b) “equalization factor” means the equalization factor, based on the assessment referred to in clause a, provided by the Department of Municipal Affairs;
- (c) “equalized assessment” means the assessment as adjusted by the application of the equalization factor.
- (2) The sum required by a divisional board for secondary school purposes shall be apportioned among the municipalities in the school division in the proportion that the equalized assessment of the property rateable for secondary school purposes in each

such



such municipality bears to the equalized assessment of all the property rateable for secondary school purposes in the school division.

Apportion-  
ment,  
public  
school  
purposes

- (3) The sum required by a divisional board for public school purposes shall be apportioned among the municipalities in the school division in the proportion that the equalized assessment of the property rateable for public school purposes in each such municipality bears to the equalized assessment of all the property rateable for public school purposes in the school division.

Request for  
arbitration,

- (4) Subject to subsection 9, where the council of a municipality is of the opinion that the apportionment of the sum in accordance with subsection 2 or 3 imposes an undue burden on the ratepayers of the municipality, the council may apply to the divisional board before the 1st day of November in the year preceding the year in which the proportion to be determined will be payable for an arbitration to determine the proportion of the amounts that each municipality shall raise in the following year.

for year  
1969

- (5) The request for arbitration under subsection 4, in respect of the year 1969, may be made to the divisional board before the 1st day of March, 1969, and where the decision under this section results in an adjustment of the apportionment under subsection 2 or 3 for the year 1969, an underpayment or an overpayment by a municipality with respect to the apportionment for the year 1969 shall be adjusted in the levy for the year 1970.

Arbitrators

- (6) Upon receipt of the application, the divisional board shall direct its secretary to call a meeting of the treasurer of the county and the treasurers of the municipalities within the school division, and these treasurers shall be arbitrators to determine the proportion of the amounts to be raised by each municipality.

Notification  
of decision

- (7) The arbitrators shall make their decision in writing and file a copy thereof with the secretary of the divisional board who shall forthwith send a copy of the decision to the clerk of each municipality by registered mail.

Reference  
to O.M.B.

- (8) If, within thirty days of the mailing of the copies of the decision by the secretary, the council of one



of the municipalities files with the secretary a written objection to the decision of the arbitrators, the divisional board shall refer the matter to the Ontario Municipal Board whose decision is final.

- (9) The decision of the arbitrators, or, if the matter is referred to the Ontario Municipal Board, the decision of the Ontario Municipal Board, is effective for a period of three years or until the equalized assessment of a municipality in the school division is increased or decreased by a total of more than 10 per cent since the last decision of the arbitrators. <sup>Effect of decision</sup>
- (10) Five ratepayers of any territory without municipal organization that is deemed to be a district municipality in a school division have the same powers as the council of a municipality under subsections 4 and 8 and may appoint one ratepayer to act as treasurer for the purposes of this section and, where any disagreement arises in respect of such appointed treasurer, the secretary of the divisional board shall designate the person so to act. <sup>Territory without municipal organization</sup>
- 87.—(1) In this section, “adjusted rate”, for a municipality or part thereof, means the rate that if applied to the assessment of property on which taxes were levied for public school purposes for the year 1968 would have provided, except for a non-recurring capital out of revenue expenditure on an approved building project, as at the 31st day of December, 1968, neither an increase nor a decrease in the surplus or deficit accumulated by the public school board, as at the 31st day of December, 1967, within whose jurisdiction such municipality or part was situated in the year 1968. <sup>Adjusted rate</sup>
- (2) Notwithstanding subsection 3 of section 86, the sum required by a divisional board, other than the divisional board of a defined city, for public school purposes for the year 1969 shall be raised by each municipality in the school division by the application of the adjusted rate under subsection 1 to the assessment of property rateable for public school purposes in the municipality, and, where any additional sum is required by the divisional board for public school purposes, it shall be apportioned among the municipalities comprising the school division in the manner provided in subsection 3 of section 86. <sup>1969 public school levy</sup>

Idem

- (3) Where, for the purposes of subsection 2, an estimated adjusted rate is used in determining the levy for the year 1969, an overpayment or underpayment arising from a difference between the use of the estimated adjusted rate and the actual adjusted rate shall be adjusted in the levy for the year 1970.

Territorial  
district  
pupils 1969

- (4) Notwithstanding subsection 2 of section 86, where, in respect of a territorial district, the regulations provide for a grant on behalf of a pupil who in the year 1969 attends a secondary school and who resides in a part of a school division that in the year 1968 was not included in a secondary school district, such grant shall be applied to reduce the sum required to be raised under subsection 2 of section 86 by the district municipality in which the pupil resides.

Arbitration

- (5) The provisions of section 86 with respect to the arbitration of the apportionment for the year 1969 apply *mutatis mutandis* to this section.

Rates

- 88.—(1) The council of each municipality in a school division in each year shall levy and collect,

(a) upon all the property rateable for public school purposes in the municipality the amount that it is required by the divisional board to raise for public school purposes; and

(b) upon all the property rateable for secondary school purposes in the municipality the amount that it is required by the divisional board to raise for secondary school purposes,

and transfer such amounts to the divisional board from time to time as required, but not later than the 15th day of December.

Tax  
notices  
R.S.O. 1960,  
c. 23

- (2) The notice of taxes given by the collector under section 115 of *The Assessment Act* shall be given separately in relation to taxes imposed for school purposes or in such manner as will clearly indicate the taxes imposed for school purposes.

Debentures

- 89.—(1) Subject to the approval of the Ontario Municipal Board, the sums required by a divisional board for permanent improvements may be raised by the issue of debentures by the divisional board in the

manner

manner provided for the issue of municipal debentures in *The Municipal Act*, and for the purposes of this section the duties imposed under *The Municipal Act* regarding the issuing of debentures and the use of moneys received from the sale or hypothecation of debentures, upon the Corporation, the head of council and the treasurer respectively are imposed upon the divisional board, the chairman of the divisional board and the treasurer of the divisional board respectively.

R.S.O. 1960,  
c. 249

- (2) The clerk-treasurer or treasurer of each county and municipality in which a divisional board has jurisdiction shall notify the treasurer of the divisional board before the 1st day of February, 1969, and before the 1st day of January in each year thereafter, of the amount of the principal and interest due and payable in that year in respect of debentures issued for school purposes by such county or municipality and the dates on which payments are due.

Notification  
of debt  
charges

- (3) The treasurer of the divisional board shall pay to every county and municipality on or before the due date of payment the amount of the principal and interest as notified under subsection 2.

Payment  
of debt  
charges for  
debentures  
not issued  
by the  
board

- 90.—(1) Every divisional board shall appoint an auditor who shall be a person licensed by the Department of Municipal Affairs as a municipal auditor and who shall hold office during good behaviour and be removable for cause upon the vote of two-thirds of the members of the divisional board.

Appoint-  
ment and  
dismissal  
of auditor

- (2) No person shall be appointed as an auditor of a divisional board who is or during the preceding year was a member of the divisional board or who has or during the preceding year had any direct or indirect interest in any contract or any employment with the divisional board other than for services within his professional capacity, and every auditor, upon appointment, shall make and subscribe a declaration to that effect.

Disqualifi-  
cation of  
auditor

- (3) An auditor of a divisional board shall perform such duties as are prescribed by the Department and by the Department of Municipal Affairs and also such duties as may be required by the divisional board that do not conflict with the duties prescribed by the Department and by the Department of Municipal Affairs.

Duties of  
auditor

Rights of  
auditor

- (4) An auditor of a divisional board has right of access at all reasonable hours to all books, records, documents, accounts and vouchers of the divisional board and is entitled to require from the members and officers of the divisional board such information and explanation as in his opinion may be necessary to enable him to carry out his duties.

Auditor  
may take  
evidence

- (5) An auditor of a divisional board may require any person to give evidence on oath touching any of such matters, and for such purpose has all the powers that may be conferred upon a commissioner under *The Public Inquiries Act*.

R.S.O. 1960,  
c. 323

Auditor  
may attend  
meetings

- (6) An auditor of a divisional board is entitled to attend any meeting of the divisional board or of a committee thereof and to receive all notices relating to any such meeting that any member is entitled to receive and to be heard at any such meeting that he attends on any part of the business of the meeting that concerns him as auditor.

Publication  
of financial  
statements

- (7) The treasurer of every divisional board in every year shall, within one month after receiving the auditor's report on the financial statements of the divisional board, cause to be published or to be mailed or delivered to each ratepayer a copy of the balance sheet or sheets and the corresponding statements of surplus as of the 31st day of December of the preceding year and a statement of revenue and expenditure for the preceding year, or a summary thereof, in such form as the Department may prescribe, together with a copy of the report of the auditor.

Idem

- (8) Where in any year a tax notice is mailed to each ratepayer before the 30th day of June, the treasurer may, in lieu of publishing, mailing or delivering a copy or summary and the report under subsection 7 cause to be included with such notice the copy or summary and the report.

Filing of  
financial  
statements

- (9) The treasurer of every divisional board in every year shall prepare the financial statements of the divisional board and, upon receiving the auditor's report thereon, shall forthwith submit two copies of the financial statements together with a copy of the auditor's report to the Department.



- 91.—(1) Where a school division comprises only a defined city, the members of the divisional board to be elected by public school electors shall be elected in the same manner and number as the trustees of a public school board in an urban municipality, and the provisions of *The Public Schools Act* with respect thereto apply *mutatis mutandis*. Composition of board for defined city, members elected by public school electors R.S.O. 1960, c. 330
- (2) In addition to the members elected under subsection 1, the separate school supporters in the defined city shall elect the number of members equal to the product, correct to the nearest integer, the fraction one-half being raised to the next higher integer, obtained by multiplying the number of members to be elected under subsection 1 by the ratio of the residential and farm assessment of the property rateable for separate school purposes in the defined city to the residential and farm assessment of the property rateable for public school purposes in the defined city, according to the last revised assessment roll, but in no case shall the number of members to be elected under this subsection be fewer than two. Members elected by separate school supporters
- (3) The members to be elected under subsection 2 shall be elected by a general vote of the separate school supporters in the defined city, and otherwise in the same manner as the members under subsection 1. Election of members by separate school supporters in defined city
- (4) Where a defined city has a board of education on the 31st day of December, 1968, and does not hold municipal elections in the year 1968, the elected and appointed members of the board of education shall continue in office as members of the divisional board established under this Part until, at the time of the next municipal elections, a new divisional board is elected and organized. Where no municipal elections in 1968
- (5) The members of a divisional board elected under subsections 1 and 2 shall hold office for the same term as the members of council of the defined city and until their successors are elected and a new board organized. Term of office

92.—(1) In this section,

Interpretation

- (a) “equalized residential and farm assessment” means the residential and farm assessment as

adjusted



adjusted by the application of the equalization factor based on the assessment referred to in clause *c*, provided by the Department of Municipal Affairs;

R.S.O. 1960,  
c. 259

- (b) "population" means the population as determined under *The Municipal Unconditional Grants Act* for the purposes of that Act;
- (c) "residential and farm assessment" for the purposes of subsection 4, 5, 6, 10, 11, 19 or 20 means the residential and farm assessment upon which taxes are levied in the year in which the determination is made under subsection 4, 5, 6, 10, 11, 19 or 20 and, for the purposes of subsection 17 or 18, means the residential and farm assessment upon which taxes are levied in the year in which nominations are held under subsection 17 or 18.

Composi-  
tion of  
board for  
other than  
defined city

- (2) Subject to subsections 4 and 5, the number of members on a divisional board, except a divisional board of a defined city, shall be determined by the total population of the municipalities, not including any territory without municipal organization that is deemed a district municipality, within the school division, as follows, where the population is,

- (a) less than 50,000, fourteen members;
- (b) 50,000 or more but less than 100,000, sixteen members;
- (c) 100,000 or more but less than 150,000, eighteen members;
- (d) 150,000 or more, twenty members,

provided that where a school division in the territorial districts comprises fewer than four municipalities, not including any territory without municipal organization that is deemed a district municipality, where the population of such municipalities in the school division is,

- (e) less than 3,500, five members;
- (f) 3,500 or more but less than 5,000, eight members; and
- (g) 5,000 or more but less than 10,000, ten members.

- (3) Where it becomes evident from the population of the municipalities in a school division that the number of members on a divisional board should be increased or decreased in accordance with subsection 2, at the next election of members the proper number of members shall be elected. Change in number of members
- (4) The public school electors of the school division shall elect the number of members equal to the product, correct to the nearest integer, the fraction one-half being raised to the next higher integer, obtained by multiplying the number of members to be elected under subsection 2 by the ratio of the equalized residential and farm assessment of the property rateable for public school purposes in the school division to the equalized residential and farm assessment of all the rateable property in the school division, but in no case shall the number of members to be elected under this subsection, Number of members to be elected by public school electors
- (a) be fewer than six where the number of trustees under subsection 2 is fourteen or more; or
- (b) be fewer than four where the number of trustees under subsection 2 is fewer than fourteen.
- (5) The separate school supporters in the school division shall elect the number of members equal to the product, correct to the nearest integer, the fraction one-half being raised to the next higher integer, obtained by multiplying the number of members to be elected under subsection 2 by the ratio of the equalized residential and farm assessment of the property rateable for separate school purposes in the school division to the equalized residential and farm assessment of all the rateable property in the school division, but where the product obtained is less than one, one member shall be elected under this subsection. Number of members to be elected by separate school supporters
- (6) Where a school division includes county or district municipalities and one or more cities, the number of members to be elected by the public school electors, Number of members to be elected by public school electors in a school division comprising one or more cities and county or district municipalities
- (a) of each city shall be equal to the product, correct to the nearest integer, the fraction one-half being raised to the next higher integer, obtained by multiplying the number of members determined under subsection 4

by

by the ratio of the equalized residential and farm assessment of the property rateable for public school purposes in the city of the equalized residential and farm assessment of all the property rateable for public school purposes in the school division; and

- (b) of the county or district municipalities shall be the number of members determined under subsection 4 less the total number of members determined under clause *a* for the city or cities.

When  
deter-  
minations  
under  
subss. 4-6

- (7) A determination under subsection 4, 5 or 6 shall be made before the 1st day of September, 1968, and before the 1st day of September in each year it is determined under subsection 3 that the number of members of the divisional board should be increased or decreased, and in any case before the 1st day of September in every fourth year following the latest determination under subsection 4, 5 or 6, as the case may be, and a determination under subsection 4, 5 or 6 is effective for a period of four years or until the number of members for the school division is increased or decreased under subsection 3.

Where city  
does not  
qualify for  
at least one  
member  
to be  
elected by  
public  
school  
electors

- (8) Where a city is not entitled to one or more members under clause *a* of subsection 6, the city shall be deemed to be a county or district municipality for the purposes of subsection 6 or 9, and the clerk of the city shall be deemed to be a clerk of a county or district municipality for the purposes of subsection 9.

Distribution  
of members  
to be  
elected  
by public  
school  
electors  
in school  
division  
including  
county or  
district  
municipal-  
ities

- (9) With respect to,
- (a) the county municipalities in a school division, the council of the county; and
- (b) the district municipalities in a school division, the clerks of the three organized district municipalities having successively the greatest residential and farm assessment in the school division according to the last revised assessment roll as adjusted by the application of the equalization factor based on such assessment provided by the Department of Municipal Affairs and the clerk of each urban municipality in which a high school is located in the school division, and where there are

fewer

fewer than three organized district municipalities in the school division, the clerks of all such municipalities,

shall determine, before the 1st day of September, 1968, and before the 1st day of September in each year in which it is determined under subsection 3 that the number of members of the divisional board should be increased or decreased, and in any case before the 1st day of September in every fourth year following the latest determination under this subsection, the county or district municipality or municipalities to be represented by each member to be elected in the school division by the public school electors under clause *b* of subsection 6, but in no case shall the determination provide for a member to be elected by a general vote of all the public school electors of the county or district municipalities, and such determination is effective for a period of four years or until the number of members for the school division is increased or decreased under subsection 3, and, where the determination is not made before the 1st day of September, the clerk of the county or of the district municipality having the greatest residential and farm assessment in the school division according to the last revised assessment roll as adjusted by the application of the equalization factor based on such assessment provided by the Department of Municipal Affairs, as the case may be, shall refer the matter to the judge who shall make the determination before the 1st day of October in accordance with subsection 10.

(10) In determining under subsection 9,

Deter-  
mination

- (a) the number of members to be elected by the public school electors of a county or district municipality; or
- (b) the county or district municipalities that are to be combined for the election of one or more members by the public school electors of such municipalities,

the council of the county or the clerks of the district municipalities, as the case may be, shall apportion the number of members determined under clause *b* of subsection 6, as nearly as is practicable, in the proportion that the equalized residential and farm assessment of the property rateable for public school

purposes



purposes in the municipality or combined municipalities bears to the total equalized residential and farm assessment of the property rateable for public school purposes in all the county or district municipalities in the school division and shall, in so far as it is practicable to do so, combine municipalities that are adjoining.

Idem

- (10a) Notwithstanding subsection 10, where the equalized residential and farm assessment of the property rateable for separate school purposes in a school division in a territorial district is less than 5 per cent of the equalized residential and farm assessment of all the rateable property in the school division, and where equalized residential and farm assessment of the property rateable for public school purposes in a municipality, expressed as a percentage of the total residential and farm assessment of all such property in the school division, differs by fifteen or more percentage points from the population of the municipality expressed as a percentage of the total population of all the municipalities comprising the school division, the clerks of the district municipalities shall apportion the number of members determined under clause *b* of subsection 6, as nearly as is practicable, in the proportion that the population of a municipality or combined municipalities bears to the total population of all the municipalities comprising the school division, and the right of appeal as provided in subsection 11 shall be based upon population rather than equalized residential and farm assessment, which subsection shall apply *mutatis mutandis*.

Appeal from  
deter-  
mination

- (11) Where the determination made by the council of the county or the clerks of the district municipalities under subsection 9 allots to a municipality or to a combination of municipalities a percentage of the total number of members to be elected by the public school electors of all the county or district municipalities in the school division that differs by more than five percentage points from the percentage that the equalized residential and farm assessment of the property rateable for public school purposes in the municipality or combination of municipalities is of the total equalized residential and farm assessment of the property rateable for public school purposes in all the county or district municipalities in the school division, the council of the municipality or the council of any one of such combination of

municipalities



municipalities, as the case may be, may, within fifteen days after notice of the determination has been sent, appeal the determination to the county or district judge who may re-apportion the number of members in accordance with subsection 10 or may confirm the determination, and his decision is final.

- (12) On the request of the clerk of the county, the clerk of each city and county municipality in the school division in the county shall provide the clerk of the county with the information required to make any determination under this section. Request by county clerk for information
- (13) On the request of the clerk of the organized district municipality having the greatest residential and farm assessment for public school purposes in a school division according to the last revised assessment roll as adjusted by the application of the equalization factor, based on such assessment, provided by the Department of Municipal Affairs, the clerk of each city and district municipality and the secretary of the divisional board shall provide the clerk of such organized district municipality with the information required to make any determination under this section, and in the year 1968 the secretary of each school board shall provide such information. Request by clerk of district municipality
- (14) The clerk of the county and the clerk of the organized district municipality having the greatest residential and farm assessment for public school purposes in a school division according to the last revised assessment roll as adjusted by the application of the equalization factor, based on such assessment, provided by the Department of Municipal Affairs, shall, By whom determinations to be made
- (a) make the determinations required under subsections 4, 5, 6 and 19 with respect to a school division in a county or in the territorial districts, as the case may be; and
  - (b) send by registered mail to the clerk of each city and of each county or district municipality in the school division and to the secretary of the divisional board,
    - (i) before the 1st day of September, 1968, and, before the 1st day of September in each year in which it is determined

under

under subsection 3 that the number of members of the divisional board should be increased or decreased or in which a determination is made under subsection 9 or 20, a copy of each of the determinations made under subsections 4, 5, 6 and 19, and

- (ii) before the 1st day of October in each year in which a determination is made by the judge under subsection 9 or 20, a copy of the determination.

Questions  
to be deter-  
mined by  
judge

- (15) The council of any municipality concerned and a divisional board on behalf of any territory without municipal organization that is deemed a district municipality may, within ten days of the mailing of the determination made under subsection 4, 5, 6 or 19 appeal to the judge with respect to the accuracy of the determination and his decision is final, and the clerk of the county or the clerk of the district municipality responsible for making such determination shall make such changes in such determination as the judge requires.

Election by  
public  
school  
electors  
and by  
separate  
school  
supporters

- (16) The number of members to be elected in a municipality shall be elected by a general vote of the public school electors or separate school supporters, as the case may be, in the municipality, provided that, where it is determined under this section that the number of members to be elected to the divisional board by the public school electors in a municipality or by the separate school supporters in a municipality is two or more, the council of the municipality may, by by-law passed before the 1st day of November in the year of the election, divide the municipality into two or more areas and provide for the election of one or more of such members by the public school electors or separate school supporters, as the case may be, in each of such areas.

Election by  
public  
school  
electors in  
county and  
district  
municipal-  
ities

- (17) Where it is determined under subsection 9 that two or more county or district municipalities shall be combined for the purposes of the election of one or more members, such member or members shall be elected by a general vote of the public school electors of such combined area, and,

- (a) the nominations for such members shall be conducted by the returning officer of the municipality having the greatest equalized

residential and farm assessment for public school purposes in the combined area, who shall send the names of the candidates by registered mail within forty-eight hours after the closing of nominations to the clerk of each municipality concerned; and

- (b) the clerk of each municipality shall be the returning officer for the vote to be recorded in his municipality and he shall report forthwith the vote recorded to the clerk of the municipality in which the nominations were held, who shall prepare the final summary and announce the vote.

- (18) Subject to subsections 19, 20 and 21, the number of members determined under subsection 5 shall be elected by a general vote of the separate school supporters in the school division and, Election by separate school supporters

- (a) the nominations for such members shall be conducted by the returning officer of the municipality having the greatest equalized residential and farm assessment for separate school purposes in the school division, who shall send the names of the candidates by registered mail within forty-eight hours after the closing of nominations to the clerk of each municipality concerned; and

- (b) the clerk of each municipality shall be the returning officer for the vote to be recorded in his municipality and he shall report forthwith the vote recorded to the clerk of the municipality in which the nominations were held, who shall prepare the final summary and announce the vote.

- (19) Where a school division includes county or district municipalities and one or more cities, and the number of members to be elected by the separate school supporters under subsection 5 exceeds four, the number of members to be elected by the separate school supporters of each city and of the county or district municipalities shall be determined in accordance with subsections 6, 7 and 8, which subsections apply *mutatis mutandis*, except that the equalized residential and farm assessment of the separate school supporters shall be used in the determinations. Distribution where number to be elected by separate school supporters exceeds four

Idem

(20) Where,

(a) it is determined under subsection 5 or 19 that the number of members to be elected by the separate school supporters of the county or district municipalities in the school division exceeds four; or

(b) the area of the school division is in excess of 2,500 square miles,

the county or district municipalities to be represented by each such member shall be determined in accordance with subsections 9, 10 and 11, which subsections apply *mutatis mutandis*, except that in subsections 10 and 11 the equalized residential and farm assessments of the separate school supporters shall be used in the determinations.

Election by  
separate  
school  
supporters  
in county  
and district  
municipalities

(21) Where it is determined,

(a) that one or more members shall be elected by a general vote of the separate school supporters in the county or district municipalities in a school division; or

(b) that two or more county or district municipalities shall be combined for the purposes of the election of one or more members by separate school supporters,

subsection 17 applies *mutatis mutandis*, except that equalized residential and farm assessment for separate school purposes shall be used.

Secretary  
of board  
deemed  
clerk for  
elections  
in areas  
deemed  
district  
municipalities

(22) For the purposes of clause *b* of subsections 17 and 18, the secretary of the divisional board of a school division shall be the clerk of each part of territory without municipal organization that is deemed a district municipality in the school division.

Term of  
office

(23) The members of a divisional board to be elected under this section shall be elected for a term of two years.

Election  
by ballot

(24) The members of a divisional board to be elected under this section shall be elected in the same manner as the election of a mayor or reeve and, except as otherwise provided in this Part, all the provisions of *The Public Schools Act* respecting the election of trustees by ballot apply to the election.

R.S.O. 1960,  
c. 330

(25)



- (25) An election of members of a divisional board, except Election of members of divisional boards a divisional board of a defined city, shall take place in the year 1968 and in every second year thereafter, and, if there is no provision for such elections in any municipality in the year 1968 or in any second year thereafter, the council of the municipality shall provide for the election of such members in the year 1968 and in every second year thereafter in the same manner as the election of trustees is held at municipal elections, and,
- (a) the meetings of electors for the nomination of candidates for a divisional board, except a divisional board of a defined city, shall be held on the second Monday preceding the first Monday in December;
  - (b) the day for polling shall be the first Monday in December and the polls shall be open between the hours of 10 o'clock in the morning and 8 o'clock in the evening;
  - (c) the council of every municipality in which a nomination meeting is to be held shall, before the 1st day of November in the year 1968 and in every second year thereafter, pass a by-law naming the place and time at which the nomination meeting shall be held; and
  - (d) the council of a municipality may by by-law, passed in the year of an election for members of a divisional board, provide for advance polls in the manner set out in section 90 of *The Municipal Act*, which section applies R.S.O. 1960, c. 249 *mutatis mutandis*.
- (26) For the purposes of the election in the year 1968 First election in territory without municipal organization deemed a district municipality of members of the divisional board of a school division in the territorial districts, the secretary of the board of each school section that is deemed a district municipality shall be the clerk of the district municipality and the secretary of each high school board that has jurisdiction in territory without municipal organization that is not in a school section and is deemed a district municipality shall be the clerk of the district municipality.
- (27) The first meeting of every divisional board, except First meeting of new board a divisional board of a defined city, shall be held on the second Monday in December, 1968, and the clerk



of the county shall call the first meeting of the divisional board established for the county and the clerk of the municipality having the greatest residential and farm assessment, according to the last revised assessment roll as adjusted by the application of the equalization factor, based on such assessment, provided by the Department of Municipal Affairs, in a school division in the territorial districts shall call the first meeting of the divisional board established for the school division.

Expenses  
for certain  
elections  
to be repaid  
to mun-  
cipality

- (28) Where the council of a municipality is required to provide for an election of members of a divisional board in a year other than a year in which the election of the members of the council is held, the divisional board shall forthwith after its organization reimburse the treasurer of the municipality for the reasonable expenses incurred by the clerk or any other officer of the municipality for printing, providing ballot boxes, ballot papers, materials for marking ballot papers, and balloting compartments, and for the transmission of packets, and reasonable fees and allowances for services rendered respecting the election of members of the divisional board excluding the cost of preparing the voters' list.

Exercise  
of powers  
in 1968

- (29) After the organization of a divisional board in the year 1968, it may exercise any of its powers to make appointments, to make orders, rules or resolutions, to give notices, to prescribe forms or to do anything for the purposes of organization, policy and planning, but no instrument made under any of its powers shall be effective before the 1st day of January, 1969.

Qualifica-  
tions of  
members

- 93.—(1) A person is qualified to be elected as a member of a divisional board of a school division,

- (a) who is a Canadian citizen;
- (b) who is of the full age of twenty-one years;
- (c) who is a resident within the school division; and
- (d) who,
  - (i) in the case of the election of members by public school electors, is a public school ratepayer of a municipality within the school division, and

(ii)

- (ii) in the case of the election of members by separate school supporters, is a separate school supporter.
- (2) The members retiring at the expiration of the terms for which they were respectively elected are eligible for re-election if otherwise qualified. Retiring members eligible for re-election
- 94.—(1) Every person qualified to vote for members of a divisional board to be elected by the public school electors in a city or in a county or district municipality or in a part of any of them, or in a combination of such municipalities, is entitled to as many votes as there are members to be elected by the public school electors in such municipality or part, or combination of municipalities, as the case may be, but may not give more than one vote to any one candidate. Number of votes for candidates
- (2) Every person qualified to vote for members of a divisional board to be elected by the separate school supporters in a city or in a county or district municipality or in a part of any of them, or in a combination of such municipalities, is entitled to as many votes as there are members to be elected by the separate school supporters in such municipality or part, or combination of municipalities, as the case may be, but may not give more than one vote to any one candidate. Idem
95. Every proposer and seconder of a candidate nominated for the office of a member to be elected, Qualifications for proposers and seconders of candidates
- (a) by public school electors, shall be a public school elector; and
- (b) by separate school supporters, shall be a separate school supporter.
- 96.—(1) Where the office of a member of a divisional board elected by public school electors becomes vacant from any cause before the expiration of the term for which he was elected, it shall be filled in the manner provided in section 35 of *The Public Schools Act* for filling a vacancy on a public school board in an urban municipality, which section applies *mutatis mutandis*, except that, for the purposes of this subsection, the references to "remaining trustees" and to "majority of the membership of the board" shall be deemed to be references to

"remaining

“remaining members elected by public school electors” and to “majority of the members of the divisional board elected by public school electors”.

Idem

- (2) Where the office of a member of a divisional board elected by separate school supporters becomes vacant from any cause before the expiration of the term for which he was elected, it shall be filled in the manner provided in section 46 of *The Separate Schools Act* for filling a vacancy on a separate school board in an urban municipality, which section applies *mutatis mutandis*, except that, for the purposes of this subsection, the references to “remaining trustees” and to “majority of the membership of the board” shall be deemed to be references to “remaining members elected by separate school supporters” and to “majority of the members of the divisional board elected by separate school supporters”, and, where there are no remaining members who were elected by separate school supporters or the remaining members elected by separate school supporters are not a majority of the members elected by separate school supporters, the provisions of section 24 shall apply *mutatis mutandis*, except that the appointee shall hold office for the remainder of the term of his predecessor.

R.S.O. 1960,  
c. 368

Right of  
certain  
pupils  
to attend  
school in  
another  
school  
division

- 97.—(1) Where, on the 31st day of December, 1968, a pupil is enrolled in a public or secondary school that he has a right to attend and the school on and after the 1st day of January, 1969, is situated in a school division other than the school division in which the pupil resides, the pupil has, in addition to any other right that he may have under *The Department of Education Act*, *The Public Schools Act*, *The Schools Administration Act* or this Act, subject to subsection 6 of section 70, the right to attend the school until he completes his education in the school.

R.S.O. 1960,  
cc. 94, 330,  
361

Idem

- (2) Where any part of a school section or high school district, after the 1st day of January, 1969, forms part of a school division other than the school division in which the school that the pupils resident in such part had a right to attend on the 31st day of December, 1968, is situate, all pupils who reside in such part after the 1st day of January, 1969, may attend such school until the divisional boards concerned agree to other arrangements for the accommodation of such pupils.

- 98.—(1) A divisional board having an enrolment in its public and secondary schools on the first school day of 1969 of 2,000 or more shall, on or before the first day of August, 1969, appoint a director of education who shall be the chief education officer of the board, and he shall hold the qualifications required by the regulations. <sup>Director of education</sup>
- (2) A divisional board having an enrolment in its public and secondary schools of 2,000 or more on the 30th day of September, 1969, or of any year thereafter, shall, on or before the 1st day of August of the year following, appoint a director of education who shall be the chief education officer of the board, and he shall hold the qualifications required by the regulations. <sup>Idem</sup>
- (3) A divisional board having an enrolment in its public and secondary schools of fewer than 2,000 may appoint such supervisory officers as are approved by the Minister. <sup>Supervisory officers</sup>
- 99.—(1) With the approval of the Lieutenant Governor in Council and in accordance with the regulations, effective on the 1st day of January of the year 1971 or of any second year thereafter, <sup>Amalgamation and alteration of school divisions</sup>
- (a) two or more adjoining school divisions may be combined to form one school division, and the board of the combined school division shall be a divisional board of education; and
- (b) one or more municipalities may be detached from a school division and attached to an adjoining school division.
- (2) Where two or more school divisions are combined, <sup>Idem</sup>
- (a) the divisional board of each such school division is dissolved; and
- (b) all real and personal property vested in the board of each such school division becomes vested in the divisional board of the combined school division,
- upon the date upon which a divisional board is organized for the combined school division.
- (3) The Lieutenant Governor in Council may make regulations, <sup>Regulations</sup>

(a)



- (a) prescribing the terms and conditions upon which and the manner in which,
  - (i) two or more adjoining school divisions may be combined, or
  - (ii) the boundaries of a school division may be altered;
- (b) assigning a name to the divisional board of a combined school division;
- (c) providing for the establishment and operation of interim school organization committees;
- (d) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Part.

Applica-  
tion of this  
Part

100.—(1) Notwithstanding the provisions of any special Act, this Part applies to every public school board, continuation school board, high school board, board of education, county, municipality and person in accordance with the provisions of this Part.

Applica-  
tion of  
Parts II, III  
and  
R.S.O. 1960,  
c. 330

(2) The provisions of *The Public Schools Act* and Parts II and III that are not inconsistent with this Part shall be read as part of this Part and shall apply to divisional boards, and so far as such provisions are inconsistent with the provisions of this Part, they do not apply to divisional boards.

R.S.O. 1960,  
c. 362,  
amended

**9.** *The Secondary Schools and Boards of Education Act* is amended by adding thereto the following Part:

## PART VII

### SCHOOLS FOR TRAINABLE RETARDED CHILDREN

Interpre-  
tation

101.—(1) In this Part,

- (a) “authority” means a Retarded Children’s Education Authority;
- (b) “committee” means an advisory committee on schools for trainable retarded children established under this Part;
- (c) “divisional board” means a divisional board of education and includes The Metropolitan Toronto School Board;

(d)



- (d) "local association" means a parents' group that is affiliated with the Ontario Association for the Mentally Retarded;
- (e) "school division" includes the Metropolitan Area as defined in *The Municipality of Metropolitan Toronto Act*; R.S.O. 1960, c. 260
- (f) "trainable retarded child" means a child whose intellectual and physical functioning is below the level at which he could profit from attendance in a special education class for educable retarded children.
- (2) For the purposes of this Part, The Metropolitan Toronto School Board shall be deemed to be organized as a divisional board on the 1st day of January, 1969. Metropolitan Toronto School Board
- 102.—(1) Each school for trainable retarded children operated by an authority in a school division, except a defined city, shall cease to be operated by the authority on the 1st day of January, 1969, and thereafter shall be operated by the divisional board of the school division. Divisional boards to operate schools for trainable retarded children
- (2) Each school for trainable retarded children operated by an authority in a school division of a defined city or by The Ottawa Collegiate Institute Board under subsection 3 shall cease to be operated by the authority or by such Board upon the organization of the divisional board of the school division, and thereafter shall be operated by the divisional board. Idem
- (3) The schools operated by The Ottawa Retarded Children's Education Authority shall cease to be operated by such Authority on the 1st day of January, 1969, and for the year 1969 and until The Ottawa Board of Education is organized shall be operated by The Ottawa Collegiate Institute Board, which during such period shall be deemed to be a divisional board for the purposes of this Part, and The Ottawa Retarded Children's Education Authority is dissolved on that date, and section 103 applies *mutatis mutandis*. Operation in 1969 of Ottawa Retarded Children's Education Authority
- 103.—(1) Upon the organization of a divisional board in a school division of a defined city and in respect of divisional boards of all other school divisions on the 1st day of January, 1969, Assets, liabilities, etc.
- (a) all authorities that have jurisdiction wholly or partly in the school division are dissolved;

(b)

- (b) all personal property vested in an authority in respect of a school for trainable retarded children that is located in the school division is vested in the divisional board;
- (c) all real property located in the school division now vested in a local association for the use of an authority is vested in the divisional board;
- (d) all debts, contracts, agreements, rights and liabilities of an authority or a local association in respect of a school for trainable retarded children that is located in the school division become debts, contracts, agreements, rights and liabilities of the divisional board.
- No compensation payable (2) No compensation shall be payable by the divisional board to any local association in respect of any property vested in the divisional board under subsection 1.
- Dispute (3) Where a dispute arises with respect to any matter under subsection 1, the local association involved and the divisional board shall each appoint an arbitrator, and these arbitrators shall appoint a third arbitrator who shall be the chairman, and the arbitrators shall resolve the dispute, and the decision of a majority of the arbitrators is final.
- Trustees 104. All members of a divisional board are trustees for the purposes of schools for trainable retarded children.
- Advisory committee established 105.—(1) A divisional board may establish an advisory committee on schools for trainable retarded children and every divisional board of a school division that operates one or more schools for trainable retarded children or that is requested to establish such a committee by a local association representing parents of trainable retarded children resident in the school division shall establish an advisory committee on schools for trainable retarded children.
- Composition (2) The committee shall consist of six members, of which,
- (a) three members shall be appointed by the divisional board from among its members; and
- (b) three members shall be appointed by the local association, and where there is more than one local association, three members

shall

shall be appointed at a joint meeting of the associations concerned.

- (3) The members of the committee appointed by the local association or associations shall have the qualifications required for the members of the divisional board. <sup>Qualifications of members</sup>
- (4) The members of the committee shall hold office until the expiry of the term for which the members of the divisional board were elected. <sup>Term of office</sup>
- (5) Every vacancy on a committee occasioned by death, removal or other cause shall be filled by appointment by the divisional board or the local association or associations, as the case may be, of some qualified person, and every person so appointed shall hold office for the unexpired portion of the term of the member whose office has become vacant. <sup>Vacancies</sup>
- (6) The divisional board may pay to each member of the committee who is not a member of the divisional board an honorarium not exceeding \$10 for each month that he is a member of the committee. <sup>Honorarium</sup>
- 106.—(1) A majority of the members of the committee is a quorum, and a vote of a majority of the members present at a meeting is necessary to bind the committee. <sup>Quorum</sup>
- (2) The members of the committee shall, at their first meeting, elect one of themselves as chairman who shall preside at all meetings and, if at any meeting the chairman is not present, the members present may elect a chairman for that meeting. <sup>Chairman</sup>
- (3) On every question, the chairman may vote with the other members of the committee, and any question on which there is an equality of votes shall be deemed to be negatived. <sup>Chairman voting</sup>
- (4) The divisional board shall make available to the committee such personnel and services as the divisional board may deem necessary for the proper functioning of the committee. <sup>Personnel and services available to committee</sup>
- 107.—(1) The committee may make recommendations to the divisional board with respect to matters affecting the establishment and operation of schools for trainable retarded children in the school division. <sup>Powers of committee</sup>

Right of  
committee  
to be heard

- (2) Before making a decision on a recommendation of the committee, the divisional board shall provide an opportunity for the committee to be heard before the board and before any committee thereof to which the recommendation is referred.

Cost of  
operation

108. The cost of operation of schools for trainable retarded children shall be included in the estimates of the divisional board for secondary school purposes and apportioned in the same manner as the cost of operation of secondary schools.

Right of  
child to  
attend  
school

- 109.—(1) Subject to subsection 6, a trainable retarded child whose parent or guardian resides in a school division in which a school for trainable retarded children is operated by the divisional board has the right to attend the school.

Admission  
of other  
children

- (2) Subject to subsection 6, a divisional board may admit to a school for trainable retarded children operated by the board a child who does not have the right to attend such school under subsection 1.

Child whose  
mother is  
sole  
support,  
etc.

- (3) A trainable retarded child whose mother,
- (a) resides in Ontario;
  - (b) is the sole support of the child;
  - (c) is not assessed as a supporter of a public or separate school; and
  - (d) boards her child in a residence in a school division, other than a children's boarding home as defined in *The Children's Boarding Homes Act*,

R.S.O. 1960,  
c. 54

shall be deemed to reside with his parent or guardian in such school division.

Ward of  
children's  
aid  
society

- (4) Subject to subsection 5, a trainable retarded child who is a ward of a children's aid society shall be deemed to be resident with his parent or guardian in the school division in which he resided with his parent or guardian in the year in which he became a ward.

Child  
placed for  
adoption

- (5) Where a children's aid society certifies that a child who is a ward of such society has been placed for adoption on a probationary basis, the child shall be deemed to be resident with his parent or guardian in the school division in which the child resides with his adoptive parent.



- (6) A child may be admitted to or dismissed from a school for trainable retarded children operated by a divisional board only upon the recommendation of an admissions board consisting of, Admission or dismissal on recommendation of admissions board

(a) the principal of the school;

(b) a legally qualified psychiatrist or other legally qualified medical practitioner appointed by the board;

(c) a supervisory officer designated by the divisional board which operates the school or, in a provincial superintendency, a provincial area superintendent designated by the Minister; and

(d) a supervisory officer designated by the separate school board having jurisdiction in the municipality in which the school is located, or in a provincial separate school superintendency, an area superintendent designated by the Minister.

- (7) The principal of the school for trainable retarded children shall be the chairman of the admissions board. Chairman of admissions board

- 110.—(1) Where a divisional board provides instruction in a school for trainable retarded children for a pupil whose parent or guardian does not reside in the school division, the board of the school division, high school district, school section or separate school zone in which his parent or guardian resides, shall pay to the divisional board on behalf of the pupil a fee calculated in accordance with subsection 2 of section 100a of *The Schools Administration Act*. Fees for non-resident pupils

R.S.O. 1960,  
c. 361

- (2) Where a divisional board provides instruction in a school for trainable retarded children for a pupil whose parent or guardian does not reside in a school division, but does reside in a school section and in a separate school zone, the board of the school section or separate school zone of which the parent or guardian is a supporter shall pay to the divisional board on behalf of the pupil a fee calculated in accordance with subsection 2 of section 100a of *The Schools Administration Act*. Fees where residence in school section and separate school zone



Admission  
of child  
resident on  
tax-exempt  
lands

R.S.O. 1960,  
c. 330

R.S.O. 1960,  
c. 361

Boarding  
of pupils  
where daily  
transporta-  
tion im-  
practicable

Idem

Idem

- (3) Where a child is admitted to a school for trainable retarded children but is resident on lands that are exempt from taxation for school purposes and that have been designated by the Minister as a rural school section for which a board has been appointed under subsection 1 of section 12 of *The Public Schools Act* or that have been designated a high school district for which a board has been appointed under subsection 5 of section 12, the board shall pay to the divisional board a tuition fee in accordance with subsection 2 of section 100a of *The Schools Administration Act*.
- 111.—(1) Where a pupil resides in a school division with his parent or guardian in a residence from which daily transportation to a school for trainable retarded children that he has a right to attend is impracticable due to distance or terrain as certified by the superintendent of education of the school division in which the pupil resides, the board of the school division in which his parent or guardian resides may reimburse the parent or guardian at the end of each month for the cost of providing for such pupil board, lodging, and transportation once a week from his residence to school and return, in an amount not exceeding that prescribed by the regulations for each day of attendance as certified by the principal of the school for trainable retarded children that the pupil attends.
- (2) Where a pupil resides in a school section or in a separate school zone, but not in a school division, with his parent or guardian in a residence from which daily transportation to the school for trainable retarded children that he attends is impracticable due to distance or terrain as certified by the supervisory officer who has jurisdiction in the school section or separate school zone, the board of the school section or of the separate school zone of which his parent or guardian is a supporter may reimburse the parent or guardian at the end of each month for the cost of providing for such pupil board, lodging, and transportation once a week from his residence to school and return, in an amount not exceeding that prescribed by the regulations for each day of attendance as certified by the principal of the school for trainable retarded children that the pupil attends.
- (3) Where a pupil resides in a territorial district, but not in a school division, school section or separate

school zone, with his parent or guardian in a residence from which daily transportation to the school for trainable retarded children that he attends is impracticable due to distance or terrain as certified by a supervisory officer of the divisional board of the school that he attends, the divisional board may reimburse the parent or guardian at the end of each month for the cost of providing for such pupil board, lodging, and transportation once a week from his residence to school and return, in an amount not exceeding that prescribed by the regulations for each day of attendance as certified by the principal of the school for trainable retarded children that the pupil attends.

**10.** *The Secondary Schools and Boards of Education Act* R.S.O. 1960,  
c. 362,  
amended  
is amended by adding thereto the following Part:

## PART VIII

### FRENCH-LANGUAGE SECONDARY SCHOOLS

112. In this Part,

Interpre-  
tation

- (a) "board" means a divisional board of education or a board of education of an area municipality as defined in *The Municipality of Metropolitan Toronto Act*; R.S.O. 1960,  
c. 260
- (b) "committee" means a French-language committee for secondary school purposes formed under this Part.

113.—(1) A board may establish and maintain secondary schools or classes in secondary schools for the purpose of providing for the use of the French language in instruction, or may enter into an agreement with another board to provide for such instruction in the school or schools maintained by the latter board for resident pupils of the first-mentioned board. French-  
language  
schools or  
classes

- (2) Where for secondary school purposes in a school division a sufficient number of pupils who elect to be taught in the French language can be assembled for this purpose in classes or groups of twenty or more in each programme or branch, the board shall provide for the use of the French language in instruction in such classes or groups, and where, in the opinion of the board, the number of such pupils so warrants, the board shall provide for the use of the French language in instruction in a composite school. Idem

Application  
to boards  
of educa-  
tion, etc.

- (3) Subsection 1 applies *mutatis mutandis* to boards of education and high school boards.

Establish-  
ment of  
committee

114.—(1) Where,

- (a) ten or more French-speaking ratepayers of a school division apply in writing to the board for the establishment or extension in a secondary school of a class, group or programme in which the French language is or is to be used in instruction; or
- (b) the board establishes or extends or decides to establish or extend a class, group or programme in which the French language is or is to be used in instruction,

the board shall, within two months of the application, establishment, extension or decision to establish or extend, provide for the establishment of a committee, which shall be an advisory committee of the board.

Composition

- (2) The committee shall consist of seven members and shall be composed of,

- (a) three members of the board appointed by the board; and
- (b) four French-speaking ratepayers who are not members of the board but have the qualifications required for members of the board, elected by the French-speaking ratepayers of the school division, except that a ratepayer elected to the committee may be a member of an elementary school board.

Term of  
office

- (3) A member of a committee shall hold office during the term of the members of the board and until a new board is organized.

First  
meeting of  
French-  
speaking  
ratepayers

- (4) The board shall make provision for a meeting of the French-speaking ratepayers of the school division to elect members to the committee, and shall advertise in each of its schools the place and time of the meeting, and shall take such additional action to publicize the meeting as it deems expedient.

Additional  
members

- (5) The committee may, in any year, at a meeting called for the purpose and for which notice has been given to all members, appoint to the committee one or two additional French-speaking ratepayers as it may deem necessary, who shall have the qualifications of an elected member.

- (6) The board shall appoint to the committee one or two <sup>Idem</sup> additional members of the divisional board, as the case may be, to equal the number of additional members appointed under subsection 5.
115. Where a committee has been established and a new <sup>French-speaking</sup> board has been elected, a meeting of the <sup>ratepayers</sup> French-speaking ratepayers in the school division, to elect <sup>to elect subsequent members to committee</sup> members to the committee and to consider any other matters brought before it, shall be held on the second Wednesday following the first meeting of the newly-elected board, commencing at 8 o'clock in the afternoon at such place as the board may determine, and the provisions of subsection 4 of section 114 respecting the publicizing of the meeting apply.
- 116.—(1) The secretary of the board shall call to order <sup>Election of chairman of meeting</sup> the meetings of the French-speaking ratepayers under sections 114 and 115 and shall preside at the meeting for the purpose of electing a chairman of the meeting.
- (2) The chairman of the meeting shall appoint a <sup>Secretary of meeting</sup> secretary who shall record the proceedings of the meeting and perform such other duties as are required by the chairman.
- (3) The chairman shall preside at the meeting and shall <sup>Procedure at meetings</sup> hold the election of members of the committee and submit all motions to the meeting in the manner desired by the majority, and the chairman is entitled to vote on any motion, and, in the case of a tie vote with respect to the election of members of the committee, the chairman shall provide for drawing lots to determine which of the candidates is elected, and, in the case of a tie vote on a question, the question is deemed to be negatived.
- (4) Notice in writing shall be given by the secretary of <sup>Notice of result of election</sup> the meeting to the secretary of the board designating by their names and addresses the persons elected as members of the committee.
- 117.—(1) At the first meeting of the committee, the <sup>Chairman of committee</sup> members shall elect one of themselves as chairman.
- (2) A majority of all the members constituting the <sup>Quorum</sup> committee is necessary to form a quorum, and the vote of a majority of the members present at a meeting is necessary to bind the committee.
- (3) On every question, the chairman may vote, and any <sup>Vote of chairman, equality of votes</sup> question on which there is an equality of votes shall be deemed to be negatived.



Special  
meeting

- (4) A special meeting of the committee may be called by the chairman of the committee and shall be called by the chairman upon the request in writing of two members of the committee who shall specify the objects for which the meeting is to be held, and the objects shall be stated in the notice calling the meeting.

Vacancies

118. Every vacancy on a committee for any cause shall be filled by appointment by the board in the case of appointed members and by the elected members of the committee in the case of elected members, and every person so appointed shall hold office for the unexpired term of the member whose seat has become vacant.

Committee  
to report  
to board

- 119.—(1) The committee shall report at each regular meeting of the board.

Recom-  
mendations

- (2) The committee shall make recommendations to the board with respect to ways and means of meeting the educational and cultural needs of the French-speaking pupils, and shall co-operate with all committees of the board with respect to,
- (a) suitable sites, accommodation and equipment for the purposes of section 113;
  - (b) the use of the French language in instruction and the related courses of study;
  - (c) the appointment of the required teaching, supervisory and administrative staff;
  - (d) the establishment of special classes for adults in a French-language secondary school; and
  - (e) the use of any facilities for instruction in the French language that are considered desirable to foster the educational and cultural needs of the French-speaking community.

Board to  
consider  
report and  
recom-  
mendations

- (3) The board shall consider any report or recommendation submitted to it by the committee, and shall not refuse its approval without having given the committee an opportunity to be heard by the board or by any committee thereof to which such report or recommendation is referred.

Services to  
be provided  
by board

- 120.—(1) The board shall make available to the committee such personnel and services as the board deems necessary for the proper functioning of the committee.



- (2) A board may pay to each member of the committee who is not a member of the board an honorarium not exceeding \$25 for each month that he is a member of the committee, and subsections 4, 5 and 6 of section 36 of *The Schools Administration Act* apply *mutatis mutandis* to the members of the committee. Honorarium, expenses  
R.S.O. 1960, c. 361
121. Notwithstanding any other provisions in this Part, English shall be an obligatory daily subject of instruction for all pupils of Grades 9 to 12 inclusive and shall be a required subject for each certificate and diploma issued for standing in these grades. English subject required in Grades 9 to 12
122. Where a board has established a secondary school or classes in a secondary school under section 113 and where a sufficient number of pupils who elect instruction in the English language can be assembled, the board shall provide such instruction, and the provisions of section 113 apply *mutatis mutandis* in respect of such pupils. English-language classes where French-language school or classes established
123. On the request of a parent or guardian of a pupil, a board of a school division may admit such pupil to classes formed under section 113 if such pupil has a right to attend a secondary school in the school division and the principal is satisfied that the attendance of such pupil will not delay the progress of the French-speaking pupils. Admission of pupils other than French-speaking pupils
- 11.**—(1) This Act, except sections 1, 6, 7 and 9, comes into force on the day it receives Royal Assent. Commencement
- (2) Sections 1, 6, 7 and 9 come into force on the 1st day of January, 1969. Idem
- 12.** This Act may be cited as *The Secondary Schools and Boards of Education Amendment Act, 1968*. Short title



## CHAPTER 123

## An Act to amend The Securities Act, 1966

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Paragraph 23 of subsection 1 of section 1 of *The Securities Act, 1966* is repealed. <sup>1966, c. 142, s. 1, subs. 1, para. 23, repealed</sup>

(2) Paragraph 27 of subsection 1 of the said section 1 is amended by striking out “and” at the end of subparagraph xii, by adding “and” at the end of subparagraph xiii and by adding thereto the following subparagraph: <sup>1966, c. 142, s. 1, subs. 1, para. 27, amended</sup>

xiv. any document constituting evidence of an interest in a scholarship or educational plan or trust.

**2.** Subsection 1 of section 2 of *The Securities Act, 1966* is amended by striking out “four” in the third line and inserting in lieu thereof “five”, so that the subsection shall read as follows: <sup>1966, c. 142, s. 2, subs. 1, amended</sup>

(1) The Commission, which shall be responsible for the administration of this Act, shall be composed of a Chairman and not more than five other members, one of whom shall be designated as Vice-Chairman. <sup>Commission</sup>

**3.** Section 3 of *The Securities Act, 1966* is amended by adding thereto the following subsections: <sup>1966, c. 142, s. 3, amended</sup>

(2) The Chairman, Vice-Chairman or any member of the Commission may exercise the powers and shall perform such duties vested in or imposed upon the Commission by this Act or the regulations as are assigned to him by the Commission, except those referred to in sections 21 to 28. <sup>Delegation of Commission powers and duties</sup>

(3) Every direction, decision, order or ruling made pursuant to an assignment under subsection 2 is subject to review by the Commission under section 28 <sup>Review</sup>

in the same manner as if it had been made by the Director, and the person who made the direction, decision, order or ruling shall not sit on the hearing and review thereof by the Commission.

1966,  
c. 142, s. 5,  
amended

4.—(1) Section 5 of *The Securities Act, 1966* is amended by striking out “At” in the first line and inserting in lieu thereof “For the purposes of”, so that the section, exclusive of the items, shall read as follows:

Rules as  
to hearings

5. For the purposes of a hearing required or permitted under this Act to be held before the Commission or the Director, the following rules apply:

. . . . .

1966,  
c. 142, s. 5,  
item 2,  
re-enacted

(2) Item 2 of the said section 5 is repealed and the following substituted therefor:

2. For the purposes of the hearing any of the persons convening the hearing or before whom the hearing is held has the same power to summons and enforce the attendance of witnesses and compel them to give evidence on oath or otherwise, and to produce documents, records and things, as is vested in the Supreme Court for the trial of civil actions, and the failure or refusal of a person to attend to answer questions or to produce such documents, records and things as are in his custody or possession makes the person liable to be committed for contempt by a judge of the Supreme Court as if in breach of an order or judgment of the Supreme Court.

1966,  
c. 142, s. 6,  
subs. 1,  
amended

5.—(1) Subsection 1 of section 6 of *The Securities Act, 1966* is amended by striking out “Registrar” in the thirty-second line and inserting in lieu thereof “Director”.

1966,  
c. 142, s. 6,  
subs. 3,  
amended

(2) Subsection 3 of the said section 6 is amended by striking out “Registrar” in the fourth line and inserting in lieu thereof “Director”.

1966,  
c. 142, s. 6,  
subs. 4,  
amended

(3) Subsection 4 of the said section 6 is amended by striking out “Registrar” in the fourth line and inserting in lieu thereof “Director”.

1966,  
c. 142, s. 8,  
re-enacted

6. Section 8 of *The Securities Act, 1966* is repealed and the following substituted therefor:

Suspension,  
cancellation

8.—(1) The Commission, after giving the registrant an opportunity to be heard, shall suspend or cancel any registration where in its opinion such action is in the public interest.

- (2) Where the delay necessary for a hearing under subsection 1 would, in the opinion of the Commission, be prejudicial to the public interest, the Commission may suspend the registration without giving the registrant an opportunity to be heard, in which case it shall forthwith notify the registrant of the suspension and of a hearing and review to be held before the Commission within fifteen days of the date of the suspension, which hearing and review shall be deemed to be a hearing and review under section 28. Interim  
suspension

7.—(1) Subsection 1 of section 15 of *The Securities Act, 1966*, 1966, c. 142, s. 15, is amended by striking out “Registrar” in the third line and inserting in lieu thereof “Director”. subs. 1,  
amended

(2) Subsection 2 of the said section 15 is amended by striking out “Registrar” in the second line and inserting in lieu thereof “Director”. 1966,  
c. 142, s. 15,  
subs. 2,  
amended

(3) Clause *b* of subsection 2 of the said section 15 is repealed and the following substituted therefor: 1966,  
c. 142, s. 15,  
subs. 2,  
cl. *b*,  
re-enacted

- (*b*) any change in its officers, directors and other officials;  
and

(4) Subsection 3 of the said section 15 is amended by striking out “Registrar” in the third line and inserting in lieu thereof “Director”. 1966,  
c. 142, s. 15,  
subs. 3,  
amended

(5) Subsection 4 of the said section 15 is amended by striking out “Registrar” in the second line and inserting in lieu thereof “Director”. 1966,  
c. 142, s. 15,  
subs. 4,  
amended

(6) Subsection 5 of the said section 15 is amended by striking out “Registrar” in the second line and inserting in lieu thereof “Director”. 1966,  
c. 142, s. 15,  
subs. 5,  
amended

(7) Subsection 6 of the said section 15 is amended by striking out “Registrar” in the third line and inserting in lieu thereof “Director”. 1966,  
c. 142, s. 15,  
subs. 6,  
amended

8. Subsection 2 of section 21 of *The Securities Act, 1966* is repealed and the following substituted therefor: 1966,  
c. 142, s. 21,  
subs. 2,  
re-enacted

- (2) The Commission may, by order, appoint any person to make such investigation as it deems expedient for the due administration of this Act or into any matter relating to trading in securities, and in such order shall determine and prescribe the scope of the investigation. Order to  
investigate



1966,  
c. 142, s. 23,  
amended

**9.** Section 23 of *The Securities Act, 1966* is amended by striking out "a trade" in the fourth line and inserting in lieu thereof "trading", so that the section shall read as follows:

Investigation under order of Minister

23. Notwithstanding section 21, the Minister may by order appoint any person to make such investigation as he deems expedient for the due administration of this Act or into any matter relating to trading in securities, in which case the person so appointed, for the purposes of the investigation, has the same authority, powers, rights and privileges as a person appointed under section 21.

1966,  
c. 142, s. 28,  
subs. 1,  
amended

**10.** Subsection 1 of section 28 of *The Securities Act, 1966* is amended by striking out "Registrar" in the third line and inserting in lieu thereof "Director".

1966,  
c. 142, s. 29,  
subs. 2,  
amended

**11.**—(1) Subsection 2 of section 29 of *The Securities Act, 1966* is amended by striking out "Registrar" in the second line and inserting in lieu thereof "Director".

1966,  
c. 142, s. 29,  
subs. 3,  
amended

(2) Subsection 3 of the said section 29 is amended by striking out "Registrar" where it occurs the first time in the first line and inserting in lieu thereof "Director".

1966,  
c. 142, s. 34,  
subs. 1,  
amended

**12.**—(1) Subsection 1 of section 34 of *The Securities Act, 1966* is amended by striking out "Registrar" in the second line and inserting in lieu thereof "Director".

1966,  
c. 142, s. 34,  
subs. 1,  
cl. b,  
subcl. v,  
amended

(2) Subclause v of clause b of subsection 1 of the said section 34 is amended by striking out "Registrar" in the fourth line and inserting in lieu thereof "Director".

1966,  
c. 142, s. 34,  
subs. 1,  
cl. b,  
subcl. ix,  
amended

(3) Subclause ix of clause b of subsection 1 of the said section 34 is amended by striking out "Registrar" in the third line and inserting in lieu thereof "Director".

1966,  
c. 142, s. 34,  
subs. 2,  
amended

(4) Subsection 2 of the said section 34 is amended by striking out "direct the Registrar to" in the first and second lines, so that the subsection shall read as follows:

Receipt for filed agreement

(2) The Director may in his discretion issue a receipt for any prospecting syndicate agreement filed under this section and is not required to determine whether it is in conformity with clauses a, b and c of subsection 1.

1966,  
c. 142, s. 34,  
subs. 3,  
amended

(5) Subsection 3 of the said section 34 is amended by striking out "Registrar" in the first line and inserting in lieu thereof "Director".

**13.**—(1) Subsection 1 of section 35 of *The Securities Act, 1966* is amended by striking out “Registrar” in the seventh line and inserting in lieu thereof “Director”. 1966, c. 142, s. 35, subs. 1, amended

(2) Subsection 2 of the said section 35 is amended by striking out “Registrar” in the first line and inserting in lieu thereof “Director”. 1966, c. 142, s. 35, subs. 2, amended

**14.** Subsection 1 of section 36 of *The Securities Act, 1966* is amended by striking out “Registrar” in the third line and inserting in lieu thereof “Director”. 1966, c. 142, s. 36, subs. 1, amended

**15.** Subsection 6 of section 50 of *The Securities Act, 1966* is amended by striking out “direct the Registrar not” in the second line and inserting in lieu thereof “refuse”, so that the subsection shall read as follows: 1966, c. 142, s. 50, subs. 6, amended

(6) Notwithstanding subsections 4 and 5, the Director may refuse to issue a receipt for a prospectus if a person or company referred to in subsection 1 is not acceptable to him. Exception

**16.**—(1) Subsection 1 of section 52 of *The Securities Act, 1966* is amended by inserting at the commencement thereof “Subject to subsection 1a”. 1966, c. 142, s. 52, subs. 1, amended

(2) The said section 52 is amended by adding thereto the following subsection: 1966, c. 142, s. 52, amended

(1a) Where the company has only three directors, two of whom are the chief executive officer and the chief financial officer, the certificate may be signed by all the directors of the company. Exception

**17.** Section 55 of *The Securities Act, 1966* is amended by striking out “Registrar” in the fifth line and inserting in lieu thereof “Director”. 1966, c. 142, s. 55, amended

**18.** Section 56 of *The Securities Act, 1966* is amended by striking out “Registrar” in the ninth line and inserting in lieu thereof “Director”. 1966, c. 142, s. 56, amended

**19.** Section 57 of *The Securities Act, 1966* is amended by striking out “Registrar” in the first line and inserting in lieu thereof “Director”. 1966, c. 142, s. 57, amended

**20.** Subsection 3 of section 58 of *The Securities Act, 1966* is amended by striking out “and 64” in the first line and in the sixth line and inserting in lieu thereof in each instance “64 and 141”, so that the subsection shall read as follows: 1966, c. 142, s. 58, subs. 3, amended

Idem

- (3) Sections 63, 64 and 141 apply *mutatis mutandis* to a distribution under clause *b* of subsection 2 as if section 35 or 56 was applicable thereto, and the statement of material facts referred to in clause *b* of subsection 2 shall be conclusively deemed to be a prospectus for the purposes of sections 63, 64 and 141.

1966,  
c. 142, s. 59  
amended

**21.**—(1) Section 59 of *The Securities Act, 1966* is amended by adding thereto the following subsection:

Idem

- (1a) Where, upon an application under subsection 1, the Commission is satisfied that,
- (a) the number of securities is not substantial in amount in relation to the holdings of the offeror or proposed offeror; or
  - (b) the proposed purchaser is acquiring the security or securities for investment purposes with reasonable knowledge of the affairs of the issuer,

and, in the opinion of the Commission, to do so would not be prejudicial to the public interest, the Commission may rule that, subject to such terms or conditions as the Commission imposes, the trade or intended trade shall be deemed not to be a primary distribution to the public and the ruling of the Commission is final and there is no appeal therefrom.

1966,  
c. 142, s. 59,  
subs. 2,  
amended

(2) Subsection 2 of the said section 59 is amended by inserting after "1" in the first line "or 1a", so that the subsection shall read as follows:

Idem

- (2) Where the Commission determines under subsection 1 or 1a that a proposed or intended trade would not be in the course of primary distribution to the public of the security, the Commission may rule that registration is not required in respect of such trade.

1966,  
c. 142, s. 61,  
subs. 1,  
amended

**22.** Subsection 1 of section 61 of *The Securities Act, 1966*, as amended by subsection 1 of section 1 of *The Securities Amendment Act, 1967*, is further amended by striking out "direct the Registrar to" in the first and second lines, so that the subsection, exclusive of the clauses, shall read as follows:

Issue of  
receipts

- (1) The Director may in his discretion issue a receipt for any prospectus filed under this Part, unless it appears to the Director that,

**23.** Clause *b* of subsection 3 of section 62 of *The Securities Act, 1966* is amended by striking out "Registrar" in the first line and inserting in lieu thereof "Director". 1966, c. 142, s. 62, subs. 3, cl. b, amended

**24.** Subsection 2 of section 66 of *The Securities Act, 1966* is repealed and the following substituted therefor: 1966, c. 142, s. 66, subs. 2, re-enacted

(2) For the purposes of clauses *d* and *g* of subsection 1, Exception  
a person or company or a salesman may be identified in a written confirmation by means of a code or symbols if the written confirmation also contains a statement that the name of the person, company or salesman will be furnished to the customer on request.

(2a) Where a person or company uses a code or symbols Identity  
for identification in a confirmation under subsec- by code or  
tion 1, the person or company shall forthwith file symbols  
the code or symbols and their meaning with the Commission, and shall notify the Commission within five days of any change in or addition to the code or symbols or their meaning.

**25.—**(1) Subsection 1 of section 67 of *The Securities Act, 1966* is amended by inserting after "person" in the first line "or company", so that the subsection shall read as follows: 1966, c. 142, s. 67, subs. 1, amended

(1) No person or company shall, Calling at or telephoning residence

(a) call at any residence; or

(b) telephone from within Ontario to any residence within or outside Ontario,

for the purpose of trading in any security with any member of the public.

(2) Clause *a* of subsection 2 of the said section 67 is repealed and the following substituted therefor: 1966, c. 142, s. 67, subs. 2, cl. a, re-enacted

(a) where the person or company calls at or telephones to the residence,

(i) of a close personal friend, a business associate or a customer with whom or on whose behalf the person or company calling or telephoning has been in the habit of trading in securities, or

(ii) of a person who has requested in writing that information respecting a specific security be furnished him by the person or company so

calling



calling or telephoning, but in such case the person or company so calling or telephoning shall call or telephone only in reference to that security; or

1966,  
c. 142, s. 67,  
amended

(3) The said section 67 is amended by adding thereto the following subsection:

When calls  
or tele-  
phoning by  
company

(4) For the purposes of subsections 1 and 2, a company shall be deemed to have called or telephoned where an officer, trading official or salesman of the company calls or telephones on its behalf.

1966,  
c. 142,  
s. 106,  
subs. 1,  
amended

**26.**—(1) Subsection 1 of section 106 of *The Securities Act, 1966* is amended by striking out “Registrar” in the second line and inserting in lieu thereof “Director”.

1966,  
c. 142,  
s. 106,  
subs. 2,  
amended

(2) Subsection 2 of the said section 106 is amended by striking out “Registrar” in the third line and inserting in lieu thereof “Director”.

1966,  
c. 142,  
s. 108,  
subs. 1,  
cl. c,  
amended

**27.** Clause *c* of subsection 1 of section 108 of *The Securities Act, 1966* is amended by striking out “or” at the end of subclause i, by adding “or” at the end of subclause ii and by adding thereto the following subclause:

(iii) any person or company who exercises control or direction over the equity shares of a corporation carrying more than 10 per cent of the voting rights attached to all equity shares of the corporation for the time being outstanding.

1966,  
c. 142,  
s. 109,  
amended

**28.**—(1) Section 109 of *The Securities Act, 1966* is amended by adding thereto the following subsection:

Report of  
control or  
direction

(1a) A person or company that is an insider of a corporation under subclause iii of clause *c* of subsection 1 of section 108 shall, within ten days after the end of the month in which this subsection comes into force, file with the Commission a report, as of such day, of the direction or control he exercises over the capital securities of the corporation.

1966, c. 142,  
s. 109,  
subss. 2-4,  
re-enacted

(2) Subsections 2, 3 and 4 of the said section 109 are repealed and the following substituted therefor:

Report

(2) A person or company that becomes an insider of a corporation shall, within ten days after the end of the month in which he becomes an insider, file with



the Commission a report as of the day on which he became an insider, of his direct or indirect beneficial ownership of or control or direction over capital securities of the corporation.

- (3) If a person or company that is an insider of a corporation, but has no direct or indirect beneficial ownership of or control or direction over capital securities of the corporation, acquires direct or indirect beneficial ownership of or control or direction over any such securities, he shall, within ten days after the end of the month in which he acquired such direct or indirect beneficial ownership or such control or direction, file with the Commission a report, as of the date of such acquisition, of his direct or indirect beneficial ownership of or control or direction over capital securities of the corporation.
- (4) A person or company who has filed or is required to file a report under subsection 1, 1a, 2 or 3 and whose direct or indirect beneficial ownership of or control or direction over capital securities of the corporation changes from that shown or required to be shown in such report or in the last report filed by him under this subsection shall, within ten days following the end of the month in which such change takes place, provided that he was an insider of the corporation at any time during such month, file with the Commission a report of his direct or indirect beneficial ownership of or his control or direction over capital securities of the corporation at the end of such month and the change or changes therein that occurred during the month giving such details of each transaction as may be required by the regulations.

1966,  
c. 142,  
s. 112,  
repealed

**29.** Section 112 of *The Securities Act, 1966* is repealed.

**30.**—(1) Subsection 1 of section 117 of *The Securities Act, 1966* is amended by striking out “Registrar” in the second line and inserting in lieu thereof “Director”.

1966,  
c. 142,  
s. 117,  
subs. 1,  
amended

(2) Subsection 2 of the said section 117 is amended by striking out “Registrar” in the third line and inserting in lieu thereof “Director”.

1966,  
c. 142,  
s. 117,  
subs. 2,  
amended

**31.** Section 118 of *The Securities Act, 1966* is amended by adding thereto the following subsection:

1966,  
c. 142,  
s. 118,  
amended

- (2) This Part applies *mutatis mutandis* to any person who has issued securities that, after this section comes into force, are distributed in the course of

Application  
of Part to  
persons

primary distribution to the public in respect of which a prospectus is filed with the Commission and a receipt therefor obtained in the same manner as to a corporation.

1966,  
c. 142,  
s. 119,  
subs. 3,  
re-enacted

**32.** Subsection 3 of section 119 of *The Securities Act, 1966* is repealed and the following substituted therefor:

Idem

- (3) If the financial statements contain a statement of source and application of funds or a statement of changes in net assets, the auditor shall include in his report a statement whether in his opinion, in effect, the statement of source and application of funds or the statement of changes in net assets presents fairly the information shown therein.

1966,  
c. 142,  
s. 120,  
subs. 1,  
cl. e,  
amended

**33.**—(1) Clause *e* of subsection 1 of section 120 of *The Securities Act, 1966* is amended by inserting at the commencement thereof “subject to subsection 5”, so that the clause shall read as follows:

- (e) subject to subsection 5, a statement of source and application of funds for each period; and

. . . . .

1966,  
c. 142,  
s. 120,  
amended

(2) The said section 120 is amended by adding thereto the following subsection:

Mutual  
fund or  
investment  
companies

- (5) A mutual fund company or an investment company, as defined in the regulations, shall file a statement of changes in net assets for each period, in lieu of a statement of source and application of funds as required by clause *e* of subsection 1.

1966,  
c. 142,  
s. 121,  
amended

**34.** Section 121 of *The Securities Act, 1966* is amended by adding thereto the following subsection:

Mutual  
fund or  
investment  
companies

- (4) The statement of profit and loss of a mutual fund company or an investment company, as defined in the regulations, shall also distinguish the average net investment income per share and an item of this nature may be shown by way of note to the statement of profit and loss.

1966,  
c. 142,  
amended

**35.** *The Securities Act, 1966* is amended by adding thereto the following section:

Statement  
of changes  
in net assets

**123a.**—(1) The statement of changes in net assets referred to in subsection 5 of section 120 and subsection 1a of section 129 shall be drawn up so as to present fairly the information shown therein for the period and shall show separately at least,

(a)

- (a) net assets at beginning of the period;
  - (b) net investment income or loss;
  - (c) aggregate proceeds on sale of portfolio securities;
  - (d) aggregate cost of portfolio securities owned at beginning of the period;
  - (e) aggregate cost of purchases of portfolio securities;
  - (f) aggregate cost of portfolio securities owned at end of the period;
  - (g) aggregate cost of portfolio securities sold;
  - (h) realized profit or loss on securities sold;
  - (i) distributions, showing separately the amount out of net investment income and out of realized profits;
  - (j) proceeds from shares issued;
  - (k) cost of shares redeemed;
  - (l) net increase or decrease in unrealized appreciation or depreciation of portfolio securities;
  - (m) net assets at end of the period;
  - (n) net asset value per share at end of the period;
  - (o) net asset value per share at beginning of the period;
  - (p) distribution per share out of net investment income;
  - (q) distribution per share out of realized profits.
- (2) Notwithstanding subsection 1, items of the natures <sup>Note to statement</sup> described in clauses *n*, *o*, *p* and *q* of subsection 1 may be shown by way of note to the statement of changes in net assets.

**36.** Section 129 of *The Securities Act, 1966* is amended by adding thereto the following subsection:

1966,  
c. 142,  
s. 129,  
amended

(1a)

Mutual  
fund and  
investment  
companies

- (1a) A mutual fund company or an investment company, as defined in the regulations, shall file a statement of changes in net assets for each period that complies with section 123a in lieu of a statement of source and application of funds as required by clause a of subsection 1.

1966,  
c. 142,  
s. 132,  
subs. 1,  
amended

- 37.**—(1) Subsection 1 of section 132 of *The Securities Act, 1966* is amended by striking out “Registrar” in the second line and inserting in lieu thereof “Director”.

1966,  
c. 142,  
s. 132,  
subs. 2,  
amended

- (2) Subsection 2 of the said section 132 is amended by striking out “Registrar” in the third line and inserting in lieu thereof “Director”.

1966,  
c. 142,  
s. 136,  
subs. 1,  
cl. a,  
amended

- 38.** Clause a of subsection 1 of section 136 of *The Securities Act, 1966* is amended by striking out “or the Registrar” in the fourth line.

1966,  
c. 142,  
s. 141,  
amended

- 39.** Section 141 of *The Securities Act, 1966* is amended by striking out “Registrar” in the second line and inserting in lieu thereof “Director”.

1966,  
c. 142,  
amended

- 40.** *The Securities Act, 1966* is amended by adding thereto the following sections:

Order for  
compliance

- 141a.**—(1) Where it appears to the Commission that any person or company has failed to comply with or is violating any provision of this Act or the regulations, notwithstanding the imposition of any penalty in respect of such non-compliance or violation and in addition to any other rights it may have, the Commission may apply to a judge of the High Court designated by the Chief Justice of the High Court for an order directing such person or company to comply with such provision or for an order restraining such person or company from violating such provision, and upon the application the judge may make such order or such other order as the judge thinks fit.

Appeal

- (2) An appeal lies to the Court of Appeal from an order made under subsection 1.

Order  
suspending  
trading

- 141b.**—(1) The Commission may, where in its opinion such action is in the public interest, order, subject to such terms and conditions as it may impose, that trading shall cease in respect of such securities for such period as is specified in the order.



- (2) No order shall be made under subsection 1 without <sup>Temporary order</sup> a hearing unless in the opinion of the Commission the length of time required for a hearing could be prejudicial to the public interest, in which event the Commission may make a temporary order, which shall expire fifteen days from the date of the making thereof, but such order may be extended for such period as the Commission considers necessary where satisfactory information is not provided to the Commission within the fifteen-day period.
- (3) The Commission may give notice of its intention <sup>Notice of order</sup> to make an order or to hold a hearing under this section by publication in a newspaper of general circulation or in such other manner and to such persons as the Commission thinks fit.

**41.**—(1) Clause *a* of subsection 1 of section 142 of *The Securities Act, 1966* is amended by striking out “or Registrar” in the seventh line. <sup>1966, c. 142, s. 142, subs. 1, cl. a, amended</sup>

(2) Subclause iii of clause *a* of subsection 2 of the said section 142 is repealed. <sup>1966, c. 142, s. 142, subs. 2, cl. a, subcl. iii, repealed</sup>

(3) Subclause vi of clause *a* of subsection 2 of the said section 142 is amended by striking out “or Registrar” in the second line. <sup>1966, c. 142, s. 142, subs. 2, cl. a, subcl. vi, amended</sup>

**42.** Section 145 of *The Securities Act, 1966* is amended by striking out “or the Registrar” in the eleventh line. <sup>1966, c. 142, s. 145, amended</sup>

**43.**—(1) This Act, except subsection 2 of section 1, comes into force on the day it receives Royal Assent. <sup>Commencement</sup>

(2) Subsection 2 of section 1 comes into force on the 1st day of September, 1968. <sup>Idem</sup>

**44.** This Act may be cited as *The Securities Amendment Act, 1968*. <sup>Short title</sup>





## CHAPTER 124

## An Act to repeal The Seed Grain Subsidy Act

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Seed Grain Subsidy Act* is repealed. R.S.O. 1960,  
c. 366,  
repealed
2. This Act does not affect, Guarantees  
heretofore  
made and  
given not  
affected
  - (a) any guarantee made and given under *The Seed Grain Subsidy Act* prior to the coming into force of this Act; or
  - (b) the powers vested in the Lieutenant Governor in Council under *The Seed Grain Subsidy Act* with R.S.O. 1960,  
c. 366 respect to any guarantee referred to in clause a.
3. This Act comes into force on the day it receives Royal Assent. Commence-  
ment
4. This Act may be cited as *The Seed Grain Subsidy Repeal Act, 1968*. Short title



## CHAPTER 125

## An Act to amend The Separate Schools Act

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 21 of *The Separate Schools Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 368, s. 21,  
subs. 1,  
re-enacted

- (1) In unorganized townships and in any part of Ontario not surveyed into townships,

Meeting  
for purpose  
of electing  
trustees

(a) ten or more heads of families, or

(b) where the school is to be united, effective on the first day of January of the following year, with one or more separate schools to form a combined separate school, five or more heads of families,

who are Roman Catholics, may, at a public meeting called for that purpose, elect three of their number as school trustees, and the trustees so elected have all the powers of a public school board in unorganized townships, and are in all other respects subject to the provisions of this Act.

- (1a) Where in any year a school is established by not fewer than five heads of families under clause *b* of subsection 1, the public meeting for the election of trustees shall be held before the first day of June in that year, and the separate school board so formed shall proceed in the same year to implement the provisions of section 32, and if the school is not united with one or more separate schools to form a combined separate school before the 1st day of August in that year under section 32, the board is dissolved on that date.

Where  
school  
not united

R.S.O. 1960,  
c. 368, s. 22,  
subs. 12,  
amended

2.—(1) Subsection 12 of section 22 of *The Separate Schools Act*, as amended by subsection 6 of section 3 of *The Separate Schools Amendment Act, 1965*, is further amended by striking out "subsection 1 of" in the amendment of 1965, so that the subsection shall read as follows:

Agreement  
between  
boards

(12) A separate school board may by agreement with another separate school board furnish education for the pupils of the other board and for that purpose shall charge a fee calculated in accordance with section 100a of *The Schools Administration Act*.

R.S.O. 1960,  
c. 361

R.S.O. 1960,  
c. 368, s. 22,  
subs. 12a  
(1964,  
c. 108,  
s. 2),  
amended

(2) Subsection 12a of the said section 22, as enacted by section 2 of *The Separate Schools Amendment Act, 1964* and amended by section 2 of *The Separate Schools Amendment Act, 1966*, is further amended by striking out "subsection 1 of" in the amendment of 1966, so that the subsection shall read as follows:

Agreements  
between  
public and  
separate  
school  
boards

(12a) A separate school board and a public school board may by agreement provide that, where accommodation is available in the schools operated by the public school board, as certified by the public school inspector, the public school board shall furnish education in such course or courses as are not available in the separate schools operated by the separate school board for part or all of the pupils of such separate schools, and the separate school board shall pay to the public school board for each of such pupils a fee not in excess of that calculated in accordance with section 100a of *The Schools Administration Act*.

R.S.O. 1960,  
c. 368, s. 22,  
subs. 13,  
(1962-63,  
c. 132, s. 3,  
subs. 3),  
amended

(3) Subsection 13 of the said section 22, as enacted by subsection 3 of section 3 of *The Separate Schools Amendment Act, 1962-63* and amended by subsection 7 of section 3 of *The Separate Schools Amendment Act, 1965*, is further amended by striking out "subsection 1 of" in the amendment of 1965, so that the subsection shall read as follows:

Where  
separate  
school  
supporter  
resides in  
one zone  
but is closer  
by road to  
a separate  
school in  
another  
zone

(13) Where a separate school pupil resides with his parent or guardian in one zone and his residence is nearer by road to a separate school in another zone, as certified by the inspector for the zone in which the pupil resides, the board of the other zone may admit the pupil for the current year if the inspector for that school certifies that there is sufficient accommodation for him, and, unless the board of the zone in which he resides furnishes transportation for him to a school in his zone, the board of the zone



in which he resides shall pay to the other board a fee calculated in accordance with section 100a of *The Schools Administration Act*. R.S.O. 1960, c. 361

(4) The said section 22, as amended by section 3 of *The Separate Schools Amendment Act, 1962-63*, section 2 of *The Separate Schools Amendment Act, 1964*, section 3 of *The Separate Schools Amendment Act, 1965* and section 2 of *The Separate Schools Amendment Act, 1966*, is further amended by adding thereto the following subsection: R.S.O. 1960, c. 368, s. 22 amended

(16) Where a separate school pupil resides with his parent or guardian in a combined separate school zone under Part III and attends a separate school in another combined separate school zone under section 86, the board of the combined separate school zone in which he resides shall pay a fee calculated in accordance with section 100a of *The Schools Administration Act* to the combined separate school board that operates the separate school attended by the pupil. Where pupil residing in combined separate school zone attends school in another combined zone

3. Clause f of subsection 1 of section 45 of *The Separate Schools Act* is amended by striking out "and such moneys shall be paid to the board on the warrant of the proper inspector" in the eighth, ninth and tenth lines, so that the clause shall read as follows: R.S.O. 1960, c. 368, s. 45, subs. 1, cl. f, amended

(f) where the board does not appoint a collector, to apply to the municipal council, on or before the 1st day of February in each year, for the levying and collection of all sums for the support of their schools, and for any other school purposes authorized by this Act to be collected from the supporters of the separate schools under the control of the board, laying before the council an estimate of such sums. collection of rates

4. Subsection 13 of section 48 of *The Separate Schools Act*, as re-enacted by section 8 of *The Separate Schools Amendment Act, 1962-63*, is amended by adding at the end thereof "and the board and the council of the municipality may enter into an agreement providing for the officers of the municipality to assess property and levy and collect rates for separate schools in such territory without municipal organization", so that the subsection shall read as follows: R.S.O. 1960, c. 368, s. 48 (1962-63, c. 132, s. 8), subs. 13, amended

(13) Where a combined separate school zone includes a former zone in territory without municipal organization and a former zone in a municipality, the combined separate school board is responsible for the assessing of property and levying and collecting

rates for separate schools in the territory without municipal organization and the board and the council of the municipality may enter into an agreement providing for the officers of the municipality to assess property and levy and collect rates for separate schools in such territory without municipal organization.

R.S.O. 1960,  
c. 368,  
amended

**5.** *The Separate Schools Act* is amended by adding thereto the following section:

Estimates

58a.—(1) Every separate school board in each year shall prepare and adopt estimates of all sums required during the year for separate school purposes and such estimates,

(a) shall set forth estimated revenues and expenditures of the board including debt charges payable by the board;

(b) shall make due allowance for a surplus of any previous year that will be available during the current year;

(c) shall provide for any deficit of any previous year; and

(d) may provide for a reserve for working funds of a sum not in excess of 5 per cent of the expenditures of the board for the preceding year, but, where the sum accumulated in the reserve is equal to or more than 20 per cent of such expenditures, no further sum shall be provided.

Reserve for  
working  
funds in  
estimates  
for 1969

(2) Every combined separate school board under Part III may, in the year 1969, provide for a reserve for working funds of a sum not in excess of 5 per cent of the estimated expenditures of the board for the year 1969.

R.S.O. 1960,  
c. 368,  
amended

**6.** *The Separate Schools Act* is amended by adding thereto the following Part:

### PART III

#### COUNTY AND DISTRICT COMBINED ROMAN CATHOLIC SEPARATE SCHOOL BOARDS

Interpre-  
tation

74.—(1) In this Part,

(a) “city” includes a separated town;

(b)

- (b) "county" includes a provisional county, and a united county;
- (c) "county combined separate school board" means a separate school board established for a county combined separate school zone under this Part;
- (d) "county combined separate school zone" means a union of the separate school zones whose centres are within an area that is designated by the regulations made under this Part and that includes separate school zones in that part of Ontario with county organization;
- (e) "county municipality" means a municipality that forms part of a county for municipal purposes;
- (f) "district combined separate school board" means a separate school board established for a district combined separate school zone under this Part;
- (g) "district combined separate school zone" means a union of the separate school zones whose centres are within an area designated by the regulations made under this Part that is in the territorial districts;
- (h) "district municipality" means a municipality, except a city, in a territorial district;
- (i) "population" means the population as determined under *The Municipal Unconditional Grants Act*; R.S.O. 1960, c. 259
- (j) "separate school supporter" means a person who is resident in a separate school zone and is entered on,
  - (i) the last revised voters' list as qualified to vote at the municipal elections of a municipality, or
  - (ii) the last revised assessment roll in a separate school zone in territory without municipal organization,

within

within the separate school zone, and who is a supporter of separate schools for Roman Catholics or who, being a Roman Catholic, is the wife or husband of a supporter of such separate schools, and is entitled to vote at the election of trustees of separate schools.

Part of  
Ottawa-  
Carleton  
deemed  
county  
1968, c. 115

- (2) For the purposes of this Part, the area municipalities as defined in *The Regional Municipality of Ottawa-Carleton Act, 1968*, except the cities of Ottawa and Eastview and the Village of Rockcliffe Park, shall be deemed to be a county.

Zones com-  
prising  
territory  
without  
municipal  
organization  
deemed  
district  
municipal-  
ities

- (3) For the purposes of this Part, every separate school zone that comprises only territory without municipal organization and whose centre is in an area designated by the regulations made under this Part shall be deemed to be a district municipality.

Essex and  
York  
counties

- (4) For the purposes of this Part, the County of Essex does not include the City of Windsor, and the County of York does not include the area municipalities as defined in *The Municipality of Metropolitan Toronto Act*.

R.S.O. 1960,  
c. 260

Powers and  
duties of  
combined  
board re  
territory  
without  
municipal  
organization

- (5) Except as provided in subsection 6, the board of a district combined separate school zone that includes territory without municipal organization that is deemed a district municipality for the purposes of this Part shall exercise the powers and duties of a municipal council for such district municipality in respect of preparing estimates, assessing, court of revision, levying rates, collecting taxes and issuing debentures for the purposes of the district combined separate school board and in respect of the election of members of such board, and all the officers appointed by such board have the same powers and duties as similar officers in an organized municipality except that the provisions of subsections 6 to 10 of section 21 apply.

Duties of  
divisional  
board in  
territory  
without  
municipal  
organization

- (6) Where all or part of the territory without municipal organization that is deemed a district municipality for the purposes of this Part is part of a school division, the divisional board of education of the school division shall exercise the powers and duties in respect of assessing and court of revision for the purposes of the district combined separate school board for the part of the district municipality for separate school purposes that lies in the school

division



division and shall make the assessment roll for such part available to the district combined separate school board.

- (7) The trustees of an improvement district that forms part of a district combined separate school zone, in each year in which an election for members of the district combined separate school board is to be held, shall provide for such election in the improvement district in the same manner as for the election of trustees in a municipality, and the secretary-treasurer of the improvement district shall be the clerk and returning officer and has all the powers and shall perform all the duties of the clerk and returning officer of a municipality in relation to the preparation of a voters' list and the election of members of a district combined separate school board under *The Municipal Act* and *The Voters' Lists Act*, which apply *mutatis mutandis*.  
Election in improve-ment district  
 R.S.O. 1960, cc. 249, 420

75.—(1) On and after the 1st day of January, 1969, the separate school zones and the former separate school zones that form all or part of a combined separate school zone whose centres are within an area designated by the regulations made under subsection 2 are united to form a county or district combined separate school zone, as the case may be.  
County and district combined separate school zones

(2) The Lieutenant Governor in Council may make Regulations regulations,

(a) designating areas in Ontario in which the separate school zones whose centres are within the areas are to be united to form county or district combined separate school zones and designating the names of the areas;

(b) altering the boundaries of any such area;

(c) providing for the establishment and operation of interim separate school organization committees;

(d) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Part.

(3) Where the centre of a separate school zone established under section 20 on or after the 1st day of January, 1969, is within an area designated by the regulations  
Separate school zones established after Jan. 1, 1969



made under subsection 2, the separate school zone shall forthwith become a part of the county or district combined separate school zone in that area.

Ottawa  
separate  
school zone

76.—(1) On and after the 1st day of January, 1970, the cities of Eastview and Ottawa and the Village of Rockcliffe Park are united to form a combined separate school zone under this Part.

Ottawa  
Board

(2) A separate school board shall be established for such combined separate school zone which shall be a corporation by the name of "The Ottawa Roman Catholic Separate School Board" and shall consist of sixteen trustees.

Number of  
trustees  
to be  
elected in  
Ottawa and  
Rockcliffe  
Park

(3) The number of trustees to be elected by the separate school supporters in the area comprising the City of Ottawa and the Village of Rockcliffe Park shall be equal to the product, correct to the nearest integer, the fraction one-half being raised to the next higher integer, obtained by multiplying sixteen by the ratio of the equalized residential and farm assessment of the property rateable for separate school purposes in the City of Ottawa and the Village of Rockcliffe Park to the equalized residential and farm assessment of all the property rateable for separate school purposes in the combined separate school zone, and such trustees shall be elected by general vote.

Eastview

(4) The number of trustees to be elected by the separate school supporters in the City of Eastview shall be sixteen, less the number determined under subsection 1, and such trustees shall be elected by general vote.

Election of  
trustees,  
term of  
office

(5) Commencing in the year 1969, the trustees of The Ottawa Roman Catholic Separate School Board shall be elected at the same time and place and for the same term of office as the members of The Ottawa Board of Education, and the meeting for the nomination of candidates for the offices of trustees to be elected by the separate school supporters in the City of Ottawa and the Village of Rockcliffe Park shall be held by the returning officer of the City of Ottawa, and the clerk of the Village of Rockcliffe Park, forthwith after the election, shall report the vote recorded in his municipality to the clerk of the City of Ottawa who shall prepare the final summary and announce the vote.

- (6) The clerk of the City of Ottawa shall call the first <sup>First meeting</sup> meeting of The Ottawa Roman Catholic Separate School Board in the year 1970.
- (7) Section 80 applies *mutatis mutandis* in respect of <sup>Application of s. 80</sup> the establishment of the combined separate school zone under this section.
- 77.—(1) On and after the 1st day of January, 1969, the <sup>Carleton combined separate school zone</sup> separate school zones and the former separate school zones that form all or part of a combined separate school zone whose centres are within an area municipality as defined in *The Regional Municipality of Ottawa-Carleton Act, 1968*, except the cities of Eastview and Ottawa and the Village of Rockcliffe Park, are united to form a county combined separate school zone.
- (2) A separate school board shall be established for <sup>Carleton Board</sup> such county combined separate school zone which shall be a corporation by the name of "The Carleton Roman Catholic Separate School Board".
- (3) The trustees of The Carleton Roman Catholic <sup>Election of trustees, term of office</sup> Separate School Board shall be elected at the same time and for the same term of office as the members of The Carleton Board of Education.
- (4) Except as provided in this section, all the provisions <sup>Application of Act to Carleton Board</sup> of this Act respecting county combined separate school boards apply to The Carleton Roman Catholic Separate School Board.
78. A separate school board shall be established for <sup>Establishment of boards</sup> each county and district combined separate school zone, and the trustees of the board shall be elected and the board organized in accordance with this Part.
- 79.—(1) A county combined separate school board that <sup>Name of board in one county</sup> has jurisdiction in an area that includes only one county is a corporation by the name of "The ..... County Roman Catholic Separate School Board" (*inserting the name of the county*).
- (2) A combined separate school board that has jurisdiction in an area that includes two or more counties <sup>Name of board in two or more counties</sup> is a corporation by the name of "The ..... County Roman Catholic Separate

School Board" (*inserting the names of the counties or a name selected by the board and approved by the Minister*).

Name of  
board in  
territorial  
districts

- (3) A district combined separate school board that has jurisdiction in the territorial districts is a corporation by the name of "The ..... Roman Catholic Separate School Board" (*inserting the name of the area designated by the regulations*).

Assets,  
liabilities,  
etc.

- 80.—(1) Upon the establishment of a county or district combined separate school zone,

- (a) all separate school boards that have jurisdiction in separate school zones united to form the county or district combined separate school zone are dissolved;
- (b) subject to subsection 2, all property vested in such boards and situate in the county or district combined separate school zone becomes vested in the county or district combined separate school board;
- (c) all debts, contracts, agreements and liabilities for which such boards were liable, except employment contracts with teachers, become obligations of the county or district combined separate school board as determined by the arbitrators under subsections 2 and 3;
- (d) the audited surplus or deficit as at the 31st day of December, 1968, of each such board shall accrue to the credit of, or become the responsibility of, the assessment supporting such board on the 31st day of December, 1968, and shall be apportioned by the arbitrators under this section among the municipalities or parts thereof comprising the area of jurisdiction of such board in the same proportion as the requisition for the year 1968 was apportioned among such municipalities or parts;
- (e) the employment contract of every teacher who, immediately before the 1st day of January, 1969, was required to teach only in one or more schools included in the county or district combined separate school zone becomes an obligation of the county or district combined separate school board; and

- (f) the employment contract of every teacher, who immediately before the 1st day of January, 1969, was required to teach in one or more schools in the county or district combined separate school zone and in one or more schools in one or more other county or district combined separate school zones becomes an obligation of such combined separate school board as is provided by the arbitrators under subsection 3.
- (2) Each county or district combined separate school board shall, on or before the 15th day of March, 1969, appoint three arbitrators who are not trustees of the board or members of a municipal council that has jurisdiction within the county or district combined separate school zone, who shall value and adjust in an equitable manner the assets and liabilities, as of the 31st day of December, 1968, of the boards that, before they were dissolved under subsection 1, had jurisdiction wholly in the area in which the county or district combined separate school board has jurisdiction. Arbitration
- (3) Where a board that is dissolved under subsection 1 had jurisdiction in an area that, after the 1st day of January, 1969, forms part of two or more county or district combined separate school zones, each such county or district combined separate school board shall, on or before the 15th day of March, 1969, designate two of the arbitrators appointed under subsection 2 who shall collectively value and adjust in an equitable manner the obligations under clauses *c* and *f* of subsection 1. Idem
- (4) The arbitrators under subsection 3 shall appoint an additional arbitrator, and if the arbitrators fail to make such appointment before the 1st day of April, 1969, the Minister may make such appointment. Appointment of additional arbitrator
- (5) Where a majority of the arbitrators is unable to reach a decision on any matter, such matter shall be referred by the county or district combined separate school board or boards to the county or district judge whose decision is final. Referral to judge
- (6) The decision of a majority of the arbitrators under subsection 2 or 3 is final, and such decision shall be made on or before the 31st day of December, 1969, but shall not be effective before the 1st day of Decision of arbitrators



January, 1970, except that the determination in respect of a teacher's contract under clause f of subsection 1 shall be made on or before the 1st day of May, 1969.

Sick leave  
credits

- (7) Where an employee of a board that, before the 1st day of June, 1968, has established a sick leave credit plan becomes, on the 1st day of January, 1969, an employee of a county or district combined separate school board, the board shall place to the credit of the employee the sick leave credits and the termination of employment benefits standing to his credit in the plan of the first-mentioned board.

Committee  
during  
transitional  
period

- (8) Notwithstanding the dissolution of a board under subsection 1, a county or district combined separate school board shall, by resolution, constitute any or all trustees of such former board that immediately prior to the 1st day of January, 1969, operated a school or schools in the county or district combined separate school zone and who are not trustees of a county or district combined separate school board, as a committee of such board in respect of their former jurisdiction, and shall delegate such of its powers and duties in respect of any matter or purpose other than policy, organization and planning, for such period of time as the county or district combined separate school board may determine and may terminate such delegation at any time but not later than the 30th day of June, 1969, and may pay to such a trustee a monthly honorarium equivalent to that to which he was entitled as a trustee of the former board in the month of December, 1968.

Tax notices

81. Where taxes are collected by a municipal council under section 62 for the purposes of a combined separate school board under this Part, the notice of taxes given by the collector under section 115 of *The Assessment Act* shall be given separately in relation to taxes imposed for school purposes or in such manner as will clearly indicate the taxes imposed for school purposes.

R.S.O. 1960,  
c. 23

Appoint-  
ment and  
dismissal of  
auditor

- 82.—(1) Every separate school board under this Part shall appoint an auditor who shall be a person licensed by the Department of Municipal Affairs as a municipal auditor and who shall hold office during good behaviour and be removable for cause upon the vote of two-thirds of the trustees of the board.



- (2) No person shall be appointed as an auditor of a separate school board under this Part who is, or during the preceding year was, a trustee of the board or who has, or during the preceding year had, any direct or indirect interest in any contract or any employment with the board other than for services within his professional capacity, and every auditor, upon appointment, shall make and subscribe a declaration to that effect. <sup>Disqualification of auditor</sup>
- (3) An auditor of a separate school board under this Part shall perform such duties as are prescribed by the Department and by the Department of Municipal Affairs and also such duties as may be required by the board that do not conflict with the duties prescribed by the Department and by the Department of Municipal Affairs. <sup>Duties of auditor</sup>
- (4) An auditor of a separate school board under this Part has right of access at all reasonable hours to all books, records, documents, accounts and vouchers of the board and is entitled to require from the trustees and officers of the board such information and explanation as in his opinion may be necessary to enable him to carry out his duties. <sup>Rights of auditor</sup>
- (5) An auditor of a separate school board under this Part may require any person to give evidence on oath touching any of such matters, and for such purpose has all the powers that may be conferred upon a commissioner under *The Public Inquiries Act*. <sup>Auditor may take evidence</sup> <sup>R.S.O. 1960, c. 323</sup>
- (6) An auditor of a separate school board under this Part is entitled to attend any meeting of the board or of a committee thereof and to receive all notices relating to any such meeting that any trustee is entitled to receive and to be heard at any such meeting that he attends on any part of the business of the meeting that concerns him as auditor. <sup>Auditor may attend meetings</sup>
- 83.—(1) The treasurer of every separate school board, under this Part in every year shall, within one month after receiving the auditor's report on the financial statements of the board, cause to be published or to be mailed or delivered to each supporter a copy of the balance sheet or sheets and the corresponding statements of surplus as of the 31st day of December of the preceding year and a statement of revenue <sup>Publication of financial statements</sup>

and expenditure for the preceding year, or a summary thereof, in such form as the Department may prescribe, together with a copy of the report of the auditor.

Idem

- (2) Where in any year a tax notice is mailed to each supporter before the 30th day of June, the treasurer may, in lieu of publishing, mailing or delivering a copy or summary and the report under subsection 1, cause to be included with such notice the copy or summary and the report.

Interpre-  
tation

84.—(1) In this section,

(a) “equalized residential and farm assessment” means the residential and farm assessment as adjusted by the application of the equalization factor based on the assessment referred to in clause *b*, provided by the Department of Municipal Affairs;

(b) “residential and farm assessment” means the residential and farm assessment upon which taxes are levied in the year in which a determination is made or the year in which nominations are held, as the case may be.

Composition  
of board

- (2) The number of trustees of a county combined separate school board shall be determined by the population of the county or counties in the combined separate school zone, and the number of trustees of a district combined separate school board shall be determined by the population of the municipalities all or part of which are included in the district combined separate school zone, as the case may be, as follows, where the population is,

(a) less than 25,000, eight trustees;

(b) 25,000 or more but less than 45,000, ten trustees;

(c) 45,000 or more but less than 100,000, twelve trustees;

(d) 100,000 or more but less than 200,000, fourteen trustees;

(e) 200,000 or more, sixteen trustees.

(3)

- (3) Where it becomes evident from the population of the county or counties in a county combined separate school zone or of the municipalities all or part of which are in a district combined separate school zone that the number of trustees of the board should be increased or decreased in accordance with subsection 2, at the next election of trustees the proper number of trustees shall be elected. Change in numbers of trustees
- (4) Where a combined separate school zone includes county or district municipalities or parts thereof and one or more cities, the number of trustees to be elected by the separate school supporters, Number of trustees to be elected in a combined zone comprising one or more cities and county or district municipalities
- (a) of each city shall be equal to the product, correct to the nearest integer, the fraction one-half being raised to the next higher integer, obtained by multiplying the number of trustees determined under subsection 2 by the ratio of the equalized residential and farm assessment of the property rateable for separate school purposes in the city to the equalized residential and farm assessment of all the property rateable for separate school purposes in the county or district combined separate school zone; and
- (b) of the county or district municipalities or the parts thereof shall be the number of trustees determined under subsection 2 less the total number of trustees determined under clause *a* for the city or cities.
- (5) The clerk of the county municipality or the clerk of the organized district municipality, as the case may be, having the greatest equalized residential and farm assessment for separate school purposes in a county or district combined separate school zone shall, before the 1st day of September, 1968, and before the 1st day of September in each year in which it is determined under subsection 3 that the number of trustees of the board should be increased or decreased, and in any case before the 1st day of September in every fourth year following the latest determination under subsection 4, make the determinations required under subsection 4, with respect to a combined separate school zone in a county or in the territorial districts, as the case may be, and shall, before the 1st day of September, send by registered mail to the clerk of each city and of each county Determination under subs. 4

or district municipality in the combined separate school zone and to the secretary of the county or district combined separate school board a copy of the determination, and subject to subsection 13, such determination is effective for a period of four years or until the number of members is increased or decreased under subsection 3.

Where a city does not qualify for at least one trustee

- (6) Where a city is not entitled to one or more trustees under clause *a* of subsection 4, the city shall be deemed to be a county or district municipality for the purposes of subsection 4 or 7, and the clerk of the city shall be deemed to be a clerk of a county or district municipality for the purposes of subsection 7.

Distribution of trustees to be elected in county or district municipalities in combined zone

- (7) With respect to the county municipalities in a county combined separate school zone and the district municipalities in a district combined separate school zone, the clerks of the three county municipalities or the clerks of the three organized district municipalities, as the case may be, having successively the greatest equalized residential and farm assessment for separate school purposes in the combined separate school zone, and where there are fewer than three organized district municipalities in the district combined separate school zone, the clerks of all such municipalities shall determine, before the 1st day of September, 1968, and before the 1st day of September in each year in which it is determined under subsection 3 that the number of trustees of the board should be increased or decreased, and in any case before the 1st day of September in every fourth year following the latest determination under this subsection, the county or district municipality or municipalities to be represented by each trustee to be elected in the combined separate school zone under clause *b* of subsection 4, but in no case shall the determination provide for a trustee to be elected by a general vote of all the separate school supporters of the county or district municipalities, and such determination is effective for a period of four years or until the number of trustees of the combined separate school board is increased or decreased under subsection 3, and where the determination is not made before the 1st day of September, the clerk of the county municipality or of the district municipality, as the case may be, having the greatest equalized residential and farm assessment for separate school purposes in the combined separate school zone, shall refer the matter to the judge, who

shall



shall make the determination before the 1st day of October in accordance with subsection 9, and his decision is final.

- (8) Where the separate school zones in two or more counties are combined to form a county combined separate school zone, and where the three clerks designated under subsection 7 do not include a clerk from each county in the county combined separate school zone, the clerk of the municipality having the greatest equalized residential and farm assessment for separate school purposes in each such county not so represented shall act together with the clerks designated under subsection 7.

Municipal clerk from each county to be on committee under subs. 7

- (9) In determining under subsection 7,

Determination

- (a) the number of trustees to be elected by the separate school supporters of a county or district municipality; or
- (b) the county or district municipalities that are to be combined for the election of one or more trustees by the separate school supporters of such municipalities,

the clerks of the county or district municipalities, as the case may be, shall apportion the number of trustees determined for a combined separate school zone under clause *b* of subsection 4, as nearly as is practicable, in the proportion that the equalized residential and farm assessment of the property rateable for separate school purposes in the part of such zone in the municipality or combined municipalities bears to the total equalized residential and farm assessment of the property rateable for separate school purposes in the whole of such zone in the county or district municipalities in such zone, and shall, in so far as it is practicable to do so, combine municipalities that are adjoining.

- (10) Where the determination made by the clerks of the county or district municipalities under subsection 7 allots to a municipality or to a combination of municipalities a percentage of the total number of trustees to be elected by the separate school supporters of all the county or district municipalities in the combined separate school zone that differs by more than five percentage points from the percentage that the equalized residential and farm assessment of the property rateable for separate school purposes in

Appeal from determination



the part of such zone in the municipality or combination of municipalities is of the total equalized residential and farm assessment of the property rateable for separate school purposes in the whole of such zone, the council of the municipality or the council of any municipality in such combination of municipalities, as the case may be, may, within fifteen days after notice of the determination has been mailed, appeal the determination to the county or district judge who, before the 1st day of October, shall either re-apportion the number of trustees in accordance with subsection 9 or confirm the determination, and his decision is final.

Request by  
clerk for  
information

- (11) On the request of the clerk of the county municipality or the organized district municipality, as the case may be, having the greatest equalized residential and farm assessment for separate school purposes in a combined separate school zone, the clerk of each city and of each county or district municipality and the secretary of the county or district combined separate school board shall provide the clerk of such county municipality or organized district municipality with the information required to make any determination under this section, and in the year 1968 the secretary of each separate school board shall provide such information.

Mailing of  
determina-  
tion under  
subss. 7, 10

- (12) The clerk of the county municipality or the clerk of the organized district municipality, as the case may be, having the greatest equalized residential and farm assessment for separate school purposes in a county or district combined separate school zone shall send by registered mail to the clerk of each city and of each county or district municipality in the combined separate school zone and to the secretary of the county or district combined separate school board,
- (a) before the 1st day of September, 1968, and before the 1st day of September in each year in which it is determined under subsection 3 that the number of trustees of the board should be increased or decreased or in which a determination is made under subsection 7, a copy of the determination made under subsection 7; and
- (b) before the 1st day of October in each year in which a determination is made by the judge under subsection 7 or 10, a copy of the determination.

- (13) The council of any municipality concerned and a <sup>Appeal and decision of judge</sup> district combined separate school board on behalf of any territory without municipal organization may, within ten days of the mailing of the determination made under subsection 4, appeal to the judge with respect to the accuracy of the determination, and the judge shall either vary or confirm the determination, and his decision is final, and the clerk of the county or district municipality responsible under subsection 5 for making such determination shall make the changes required by the judge and shall send a copy of the decision by registered mail to the clerk of each city and of each county or district municipality in the combined separate school zone and to the secretary of the county or district combined separate school board.
- (14) The number of trustees of a county or district combined separate school board to be elected in a municipality or a part thereof shall be elected by a <sup>Where election by general vote and where by areas</sup> general vote of the separate school supporters of such board in the municipality, provided that, where it is determined under this section that the number of trustees to be elected to the board by the separate school supporters in a municipality is two or more, the council of the municipality may divide the municipality into two or more areas and provide for the election of one or more of such trustees by the separate school supporters in each of such areas.
- (15) Where it is determined under subsection 7 that <sup>Elections in county and district combined zones</sup> two or more county or district municipalities shall be combined for the purposes of the election of one or more trustees to a combined separate school board, such trustee or trustees shall be elected by a general vote of the separate school supporters of such board in the combined area, and,
- (a) the nominations for such trustees shall be conducted by the returning officer of the municipality having the greatest equalized residential and farm assessment for the purposes of such board in the combined area; and
  - (b) the clerk of each municipality shall be the returning officer for the vote to be recorded in his municipality and he shall report forthwith the vote recorded to the clerk of the municipality in which the nominations were held, who shall prepare the final summary and announce the vote.

Secretary  
of board  
deemed  
clerk for  
elections in  
areas  
deemed  
district  
municipalities

- (16) For the purposes of clause *b* of subsection 15, the secretary of the district combined separate school board shall be the clerk of each part of territory without municipal organization in the district combined separate school zone that is deemed to be a district municipality for separate school purposes.

Term of  
office

- (17) The trustees of a county or district combined separate school board shall be elected for a term of two years.

Manner of  
elections

- (18) The election of trustees of a county or district combined separate school board in a municipality shall be conducted by the same officers and in the same manner as municipal elections in the municipality in accordance with subsection 20.

Application  
of sections  
39 and 40

- (19) Every combined separate school board under this Part and every separate school board to be combined under this Part shall be deemed to have passed a resolution under subsection 1 of section 39, and section 39 except subsection 2, and section 40, apply *mutatis mutandis*.

Dates and  
times of  
election of  
trustees

- (20) An election of trustees of a county or district combined separate school board shall take place in the year 1968 and in every second year thereafter, and, if there is no provision for such elections in any municipality in the year 1968 or in any second year thereafter, the council of the municipality shall provide for the election of trustees in the year 1968 and in every second year thereafter, and,

(a) the meetings of electors for the nomination of candidates for a county or district combined separate school board shall be held on the second Monday preceding the first Monday in December;

(b) the day for polling shall be the first Monday in December and the polls shall be open between the hours of 10 o'clock in the morning and 8 o'clock in the evening;

(c) the council of every municipality in which a nomination meeting is to be held shall, before the 1st day of November in the year 1968 and in every second year thereafter, pass a by-law naming the place and time at which the nomination meeting shall be held; and

(d)

- (d) the council of a municipality may by by-law passed in the year of an election for trustees of a county or district combined separate school zone, provide for advance polls in the manner set out in section 90 of *The Municipal Act*, which section applies *mutatis mutandis*. R.S.O. 1960, c. 249
- (21) For the purposes of the election in the year 1968 of trustees of a district combined separate school board, the secretary of the board of each separate school zone that is deemed a district municipality shall be the clerk of the district municipality, and the board of each such separate school zone shall be deemed to be the council of such district municipality for the purposes of this section. First election in territory without municipal organization deemed a district municipality
- (22) The first meeting of every county or district combined separate school board shall be held on the second Monday in December, 1968, and the clerk of the county or district municipality, as the case may be, having the greatest equalized residential and farm assessment for separate school purposes in the county or district combined separate school zone shall call the first meeting of the board established for the combined separate school zone. First meeting of new board
- (23) Where the council of a municipality is required to provide for an election of trustees of a county or district combined separate school board in a year other than a year in which the election of the members of the council is held, the county or district combined separate school board shall forthwith after its organization reimburse the treasurer of the municipality for the reasonable expenses incurred by the clerk or any other officer of the municipality for printing, providing ballot boxes, ballot papers, materials for marking ballot papers, and balloting compartments, and for the transmission of packets, and reasonable fees and allowances for services rendered respecting the election of trustees of the board excluding the cost of preparing the voters' list. Expenses for certain elections to be repaid to municipality
- (24) After the organization of a county or district combined separate school board in the year 1968, it may exercise any of its powers to make appointments, to make orders, rules or resolutions, to give notices, to prescribe forms or to do anything for the purposes of organization, policy and planning, but no instrument made under any of its powers shall be effective before the 1st day of January, 1969. Exercise of powers in 1968



Number of  
votes for  
candidates

85.—(1) Every person in a municipality or in a part thereof or in a combination of municipalities who is qualified to vote for trustees of a separate school board under this Part is entitled to as many votes as there are trustees to be elected in such municipality or part or combination of municipalities, but may not give more than one vote to any one candidate.

Retiring  
members  
eligible for  
re-election

(2) The trustees retiring at the expiration of the terms for which they were respectively elected are eligible for re-election if otherwise qualified.

Qualifica-  
tions for  
proposers  
and  
seconders of  
candidates

(3) Every proposer and seconder of a candidate nominated for the office of a trustee to be elected to a separate school board under this Part shall be a separate school supporter.

Filling of  
vacancies

(4) Where the office of a trustee of a separate school board under this Part becomes vacant from any cause before the expiration of the term for which he was elected, it shall be filled in the manner provided in section 46 for filling a vacancy on a separate school board in an urban municipality.

Right of  
certain  
pupils  
to attend  
school in  
another  
combined  
zone

86.—(1) Where, on the 31st day of December, 1968, a pupil is enrolled in a separate school that he has a right to attend, and the school on and after the 1st day of January, 1969, is situated in a combined separate school zone other than that in which the pupil resides, the pupil has, in addition to any other right that he may have under *The Department of Education Act*, *The Schools Administration Act* or this Act, the right to attend the school until he completes his education in the school.

R.S.O. 1960,  
cc. 94,361

Idem

(2) Where any part of a separate school zone after the 1st day of January, 1969, forms a part of a county or district combined separate school zone other than the county or district combined separate school zone in which the school that the pupils resident in such part had a right to attend on the 31st day of December, 1968, is situate, all pupils who reside in such part after the 1st day of January, 1969, may attend such school until the county or district combined separate school boards concerned agree to other arrangements for the accommodation of such pupils.

Superin-  
tendent of  
separate  
schools

87.—(1) A separate school board under this Part having an enrolment in its schools on the first school day of 1969 of 2,000 or more shall, on or before the 1st day of August, 1969, appoint a superintendent of



separate schools who shall be the chief education officer and the chief executive officer of the board, and he shall hold the qualifications required by the regulations.

- (2) A separate school board under this Part having an enrolment in its schools of 2,000 or more on the 30th day of September of the year 1969 or of any year thereafter shall, on or before the 1st day of August of the year following, appoint a superintendent of separate schools who shall be the chief education officer and the chief executive officer of the board, and he shall hold the qualifications required by the regulations. <sup>Idem</sup>
- (3) A county or district combined separate school board having an enrolment in its schools of fewer than 2,000 may appoint such supervisory officers as are approved by the Minister. <sup>Supervisory officers</sup>
88. Notwithstanding the provisions of any special Act, this Part applies to every separate school board, county, municipality and person in accordance with the provisions of this Part. <sup>Application of this Part</sup>
89. The provisions of Part II that are not inconsistent with this Part shall be read as part of this Part and shall apply to combined separate school boards under this Part, and so far as such provisions are inconsistent with the provisions of this Part, they do not apply to combined separate school boards under this Part. <sup>Application of Part II</sup>

7. This Act comes into force on the day it receives Royal Assent. <sup>Commencement</sup>

8. This Act may be cited as *The Separate Schools Amendment Act, 1968*. <sup>Short title</sup>



## CHAPTER 126

**An Act to amend  
The Sheridan Park Corporation Act, 1964**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 6 of *The Sheridan Park Corporation Act, 1964*,<sup>1964, c. 109, s. 6,</sup> as amended by section 1 of *The Sheridan Park Corporation*<sup>amended</sup> *Amendment Act, 1965*, is further amended by adding thereto the following clause:

(c) to do all such other things as in the opinion of the Corporation are necessary or desirable for establishing a centralized research complex.

**2.** This Act comes into force on the day it receives Royal<sup>Commence-</sup> Assent.<sup>ment</sup>

**3.** This Act may be cited as *The Sheridan Park Corporation*<sup>Short title</sup> *Amendment Act, 1968*.



## CHAPTER 127

## An Act to amend The Sheriffs Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 13 of *The Sheriffs Act* is repealed. R.S.O. 1960,  
c. 371, s. 13,  
subs. 2,  
repealed
2. Section 15 of *The Sheriffs Act* is repealed. R.S.O. 1960,  
c. 371, s. 15,  
repealed
3. This Act shall be deemed to have come into force on the 1st day of January, 1968. Commence-  
ment
4. This Act may be cited as *The Sheriffs Amendment Act*, Short title  
1968.





## CHAPTER 128

**An Act to amend The Statute Labour Act**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 2 of *The Statute Labour Act* is amended by R.S.O. 1960 c. 382, s. 2, striking out "and no poll tax shall be levied against or collected from any such student" in the third and fourth lines, so that the section shall read as follows:

2. A student in attendance at an institution of learning <sup>Students</sup> in Ontario is not liable to perform statute labour or to commute therefor.

**2.** Section 3 of *The Statute Labour Act* is repealed.

R.S.O. 1960  
c. 382, s. 3,  
repealed

**3.** This Act comes into force on the 1st day of January, <sup>Commence-</sup>1969. <sup>ment</sup>

**4.** This Act may be cited as *The Statute Labour Amendment Act, 1968*. <sup>Short title</sup>



## CHAPTER 129

**An Act to repeal  
The Steam Threshing Engines Act**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** *The Steam Threshing Engines Act* is repealed. R.S.O. 1960,  
c. 384,  
repealed
- 2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment
- 3.** This Act may be cited as *The Steam Threshing Engines Repeal Act, 1968*. Short title





## CHAPTER 130

**An Act for granting to Her Majesty  
certain sums of money for the Public Service  
for the fiscal years ending the 31st day of  
March, 1968, and the 31st day of March, 1969**

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

MOST GRACIOUS SOVEREIGN:

**W**HEREAS it appears by messages from the Honourable Preamble  
William Earl Rowe, former Lieutenant Governor of the  
Province of Ontario, and the estimates accompanying the  
same, that the sums mentioned in the schedules to this Act  
are required to defray certain expenses of the public service  
of this Province, not otherwise provided for, for the fiscal  
year ending the 31st day of March, 1968, and for the fiscal  
year ending the 31st day of March, 1969, and for other pur-  
poses connected with the public service; may it therefore  
please Your Majesty that it be enacted and it is hereby  
enacted by the Queen's Most Excellent Majesty, by and with  
the advice and consent of the Legislative Assembly of the  
Province of Ontario, as follows:

**1.** In addition to the sum of \$2,382,985,500 granted by \$8,749,900  
granted for  
fiscal year  
1967-68  
1967, c. 96  
*The Supply Act, 1967*, there may be paid out of the Con-  
solidated Revenue Fund a sum not exceeding in the whole  
\$8,749,900 to be applied towards defraying the several charges  
and expenses of the public service, not otherwise provided  
for, from the 1st day of April, 1967, to the 31st day of March,  
1968, as set forth in Schedule A to this Act, and such sum shall  
be paid and applied only in accordance with the votes and  
items of the supplementary estimates upon which such  
schedule is based.

**2.** There may be paid out of the Consolidated Revenue \$3,009,207,500  
granted for  
fiscal year  
1968-69  
Fund a sum not exceeding in the whole \$3,009,207,500 to be  
applied towards defraying the several charges and expenses  
of the public service, not otherwise provided for, from the  
1st day of April, 1968, to the 31st day of March, 1969, as  
set forth in Schedule B to this Act, and such sum shall be  
paid and applied only in accordance with the votes and items  
of the estimates upon which such schedule is based.

Accounting  
for  
expenditure

3. The due application of all moneys expended under this Act shall be accounted for to Her Majesty.

Commence-  
ment

4. This Act comes into force on the day it receives Royal Assent.

Short Title

5. This Act may be cited as *The Supply Act, 1968*.

## SCHEDULE A

Department of Energy and Resources Management.....	\$ 349,900
Department of Health.....	7,900,000
Department of Tourism and Information.....	500,000
	<hr/>
	\$ 8,749,900
	<hr/>

## SCHEDULE B

Department of Agriculture and Food.....	\$ 51,268,000
Department of the Attorney General.....	83,181,000
Department of Civil Service.....	2,408,000
Department of Correctional Services.....	40,193,000
Department of Education.....	838,120,000
Department of Energy and Resources Management.....	62,825,000
Department of Financial and Commercial Affairs.....	3,196,000
Department of Health.....	396,432,000
Department of Highways.....	463,880,000
Department of Labour.....	30,442,000
Department of Lands and Forests.....	59,677,000
Office of the Lieutenant Governor.....	38,000
Department of Mines.....	4,825,000
Department of Municipal Affairs.....	235,599,000
Department of the Prime Minister.....	309,000
Office of the Provincial Auditor.....	774,000
Department of the Provincial Secretary and Citizenship.....	6,883,500
Department of Public Works.....	85,331,000
Department of Social and Family Services....	227,078,000
Department of Tourism and Information.....	10,863,000
Department of Trade and Development.....	75,582,000
Department of Transport.....	13,012,000
Treasury Department.....	31,309,000
Department of University Affairs.....	285,982,000
	<hr/>
	\$3,009,207,500
	<hr/>



## CHAPTER 131

## An Act to amend The Surveys Act

*Assented to May 30th, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of section 34 of *The Surveys Act* is amended <sup>R.S.O. 1960,  
c. 390, s. 34,  
cl. *a*,  
amended</sup> by inserting after “system” in the second line “or in the townships of Cumming, Idington, O’Brien, Owens and Williamson in the Territorial District of Cochrane”, so that the clause shall read as follows:

- (a) Where any such township was surveyed under the 1,000-acre or 1,800-acre sectional system or in the townships of Cumming, Idington, O’Brien, Owens and Williamson in the Territorial District of Cochrane, and if intended in the original survey, he shall establish the side line on the astronomic course shown on the original plan and field notes for the side line of the section in which the lot is located that is nearest the end of the section from which the lots are numbered, or, if intended in the original survey, he shall establish the side line on the astronomic course shown on the original plan and field notes for the side at the other end of the section in which the lot is located.

(2) Clause *b* of the said section 34 is amended by inserting <sup>R.S.O. 1960,  
c. 390, s. 34,  
cl. *b*,  
amended</sup> after “township” in the first line “other than the townships of Cumming, Idington, O’Brien, Owens and Williamson in the Territorial District of Cochrane”, so that the clause shall read as follows:

- (b) Where any such township, other than the townships of Cumming, Idington, O’Brien, Owens and Williamson in the Territorial District of Cochrane, was surveyed under any sectional system other than the 1,000-acre or 1,800-acre sectional system, and if it was intended in the original survey, he shall establish the side line on the astronomic course of

the



the side line of the section in which the lot is located that is nearest the end of the section from which the lots are numbered, or, if intended in the original survey, he shall establish the side line on the astronomic course of the side line of the section in which the lot is located at the other end of the section in which the lot is located, but where the side line of the section from which the lots are numbered is broken by a lake or river to such an extent that the course thereof cannot be accurately determined, he shall establish the side line on the astronomic course of the side line of the section at the other end of the section, and where both side lines of the section are broken by a lake or river to such an extent that the course thereof cannot be accurately determined, he shall establish the side line on the astronomic course shown on the original plan and field notes.

R.S.O. 1960,  
c. 390, s. 48,  
subs. 2,  
amended

2.—(1) Subsection 2 of section 48 of *The Surveys Act* is amended by inserting after "is" in the fifteenth line "subject to section 48a", so that the subsection shall read as follows:

Confirma-  
tion of  
survey

- (2) The Minister shall appoint and instruct a surveyor to make the survey for which an application has been made under subsection 1 and when the survey has been made and the plan and field notes have been examined by the Minister, the Minister shall cause a notice to be published once in each week for four consecutive weeks in a newspaper having general circulation in the municipality in which the survey has been made of a hearing to be held by him at a stated place on a day not fewer than ten days after the last publication of the notice at which hearing the survey will be considered and any interested persons will be heard, and upon the evidence submitted the Minister may direct such amendments to be made as he deems necessary and may confirm the position of the disputed or lost line, boundary or corner fixed by the survey, and any line, boundary or corner so confirmed is, subject to section 48a, an unalterable line, boundary or corner and is final and conclusive and shall not be questioned in any court.

R.S.O. 1960,  
c. 390, s. 48,  
amended

(2) The said section 48 is amended by adding thereto the following subsection:

Notice of  
confirmation

- (2a) The Minister shall mail within ten days of confirming a survey under subsection 2 a copy of the plan and

field

field notes of the survey to the municipality and to every person who appeared at the hearing.

- (3) Subsection 4 of the said section 48 is repealed.

R.S.O. 1960,  
c. 390, s. 48,  
subs. 4,  
repealed

**3.** *The Surveys Act* is amended by adding thereto the following section:

R.S.O. 1960,  
c. 390,  
amended

48a.—(1) Any person objecting to the confirmation of a survey under subsection 2 of section 48 may appeal to a judge of the Supreme Court who may decide the matter on the evidence before him or direct the trial of an issue and may dismiss the appeal or order the Minister to amend the survey and plan in such manner as the judge deems proper.

Appeal  
from  
confirmation

- (2) Notice of an appeal under this section shall be served on the Minister within thirty days of the date of the confirmation by the Minister of the survey.

Notice of  
appeal

- (3) Upon the expiry of thirty days from the confirmation of a survey by the Minister or where an appeal has been taken under subsection 1 within thirty days of the final disposition of the appeal, a copy of the plan and field notes of the survey or of the survey as amended in accordance with the order of the judge, as the case may be, shall be registered by the Minister with the proper master of titles or registrar of deeds and a copy thereof shall be filed with the clerk of the municipality that made the application under subsection 1 of section 48.

Filing of  
plans and  
field notes

**4.** Subsection 3 of section 49 of *The Surveys Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 390, s. 49,  
subs. 3,  
re-enacted

- (3) Subsection 2 of section 48 and section 48a apply *mutatis mutandis* to a survey made under this section.

Confirma-  
tion of  
survey

**5.** Subsection 1 of section 51 of *The Surveys Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 390, s. 51,  
subs. 1,  
re-enacted

- (1) The Minister may cause a survey to be made under his direction for the purpose of fixing the position of a disputed or lost line, boundary or corner that was surveyed under competent authority, and in any such case the Minister may direct that subsection 2 of section 48 and section 48a apply *mutatis mutandis*.

Crown  
re-survey

**6.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**7.** This Act may be cited as *The Surveys Amendment Act*, 1968.

Short title



## CHAPTER 132

# An Act respecting the Northerly Boundary of Lot 19, Concession XIV in the Township of Tay

*Assented to May 30th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** It is hereby declared that,

- (a) the northerly boundary of Lot 19 in Concession XIV in the Township of Tay, in the County of Simcoe, is and always has been the high water mark of the Severn River as surveyed by James G. Chewett, Deputy Surveyor, and shown on his plan which is recorded in the office of the Surveyor General at Toronto as No. 35; Northerly boundary Lot 19, Concession XIV, Township of Tay
- (b) the northerly boundary of the lands granted to George Lount by letters patent dated the 9th day of July, 1868, is and always has been the northerly boundary mentioned in clause a; and Letters patent
- (c) Lot 20 in Concession XIV in the said township does not now and never did exist. Lot 20 non-existent

**2.** A copy of this Act, certified by the Clerk of the Legislative Assembly, shall be registered in the Registry Office for the Registry Division of the County of Simcoe. Registration of Act

**3.** No action arising out of the issuance of the letters patent dated the 26th day of December, 1878, granting Lot 20 in Concession XIV in the Township of Tay, in the County of Simcoe, to Archibald C. Thomson, shall be brought but within six months next after the day on which this Act comes into force. Limitation of actions

**4.** This Act comes into force on the day it receives Royal Assent. Commencement

**5.** This Act may be cited as *The Tay Township Act, 1968*. Short title





## CHAPTER 133

## An Act to amend The Teachers' Superannuation Act

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *aa* of section 1 of *The Teachers' Superannuation Act*, as relettered by subsection 1 of section 1 of *The Teachers' Superannuation Amendment Act, 1966*, is amended by striking out "or board of education" in the fourth line and inserting in lieu thereof "board of education or divisional board of education", so that the clause shall read as follows:

R.S.O. 1960,  
c. 392, s. 1,  
cl. *aa*,  
amended

(*aa*) "board" means a board of public school trustees, board of separate school trustees, board of trustees of a continuation school, high school board, collegiate institute board, board of education or divisional board of education.

(2) Subclause *v* of clause *d* of the said section 1, as re-enacted by subsection 3 of section 1 of *The Teachers' Superannuation Amendment Act, 1966*, is amended by striking out "a college of education" in the first line, "The Ontario Institute for Studies in Education" in the fourth and fifth lines and "Lakehead University" in the seventh line, so that the subclause shall read as follows:

R.S.O. 1960,  
c. 392, s. 1,  
cl. *d*,  
subcl. *v*  
(1966,  
c. 152, s. 1,  
subs. 3),  
amended

(*v*) as a teacher in Elliot Lake Centre for Continuing Education, Moosonee Education Centre, the Institute of Child Study, Retarded Children's Education Authority, the University of Toronto Schools, the Ontario College of Art, the Royal Ontario Museum, Ryerson Polytechnical Institute, St. Mary's Training School for Girls, Toronto, St. John's Training School for Boys, Uxbridge, St. Joseph's Training School for Boys, Alfred, or in the civil service as defined in *The Public Service Act, 1961-62*.

1961-62,  
c. 121

R.S.O. 1960,  
c. 392, s. 2,  
subs. 7  
(1962-63,  
c. 138, s. 2),  
cl. d,  
amended

**2.** Clause *d* of subsection 7 of section 2 of *The Teachers' Superannuation Act*, as re-enacted by section 2 of *The Teachers' Superannuation Amendment Act*, 1962-63, is amended by striking out "Easter" and inserting in lieu thereof "the second or winter term within the meaning of *The Schools Administration Act*", so that the clause shall read as follows:

R.S.O. 1960,  
c. 361

(*d*) the Thursday following the second or winter term within the meaning of *The Schools Administration Act*.

R.S.O. 1960,  
c. 392, s. 15,  
subs. 2,  
amended

**3.** Subsection 2 of section 15 of *The Teachers' Superannuation Act* is amended by inserting after "issued" in the third line "and the amount of the gross salary for such days", and by striking out "complies with this subsection" in the fifth and sixth lines and inserting in lieu thereof "provides such information to the Commission", so that the subsection shall read as follows:

Days of  
employ-  
ment and  
salary to be  
indicated

(2) The payee of a cheque for an allowance shall indicate on the back thereof the number of days, if any, he was employed during the month for which the cheque was issued and the amount of the gross salary for such days, and if he fails to do so, the Commission may direct that no further allowance be paid him until he provides such information to the Commission.

R.S.O. 1960,  
c. 392,  
s. 17b,  
subs. 3a  
(1967,  
c. 99, s. 1,  
subs. 1),  
re-enacted

**4.—**(1) Subsection 3a of section 17b of *The Teachers' Superannuation Act*, as enacted by subsection 1 of section 1 of *The Teachers' Superannuation Amendment Act*, 1967, is repealed and the following substituted therefor:

C.A.A.T.

(3a) Every person now or hereafter on the staff of a college of applied arts and technology who is eligible to contribute to the Fund shall within three months after joining such staff, by notice in writing to the Commission and to the college, elect to contribute to the Fund or to the retirement fund of the college.

Teachers'  
colleges

(3b) Every person now or hereafter on the staff of a teachers' college who is eligible to contribute to the Fund shall, within three months after this subsection comes into force, or within three months after the teachers' college becomes part of a university or within three months after joining such staff, whichever is the later, by notice in writing to the Commission and to the college, elect to contribute to the Fund or to the pension fund of the university of which the college is a part.

(2) Subsection 4 of the said section 17*b*, as amended by R.S.O. 1960, c. 392, s. 17*b* (1966, c. 152, s. 7), subs. 4, amended subsection 2 of section 1 of *The Teachers' Superannuation Amendment Act, 1967*, is further amended by striking out "or 3*a*" in the amendment of 1967 and inserting in lieu thereof "3*a* or 3*b*", so that the subsection shall read as follows:

- (4) A person to whom subsection 1, 2, 3, 3*a* or 3*b* applies shall not have any other right of election and, if he fails to exercise his right of election thereunder, he shall be deemed to have elected to contribute to the Fund. No other election

(3) The said section 17*b* is amended by adding thereto the following subsection: R.S.O. 1960, c. 392, s. 17*b* (1966, c. 152, s. 7), amended

- (5) A person who elects or has elected or is deemed to have elected to contribute to the Fund under this section or a predecessor thereof shall be deemed to be employed as if the institution in which he is employed were named in subclause *v* of clause *d* of section 1. Effect of election

**5.** Section 23 of *The Teachers' Superannuation Act*, as amended by section 9 of *The Teachers' Superannuation Amendment Act, 1966*, is repealed and the following substituted therefor: R.S.O. 1960, c. 392, s. 23, re-enacted

23.—(1) Annually and at the same time as the total legislative grant is payable to the board or other authority, the Treasurer shall place to the credit of the Fund a sum equal to the contributions made by or on behalf of the persons to whom this Act or the regulations apply. Contributions by Province

(2) Subsection 1 does not apply, Exceptions

(*a*) in the case of persons employed within the meaning of subclause *vii*, *viii* or *ix a* of clause *d* of section 1, but the respective organizations employing such persons shall pay monthly to the Commission a sum equal to the sum that would otherwise be credited to the Fund by the Treasurer under subsection 1 in respect of such persons; or

(*b*) in the case of persons who under the regulations are themselves required to pay a sum in lieu of the sum that would otherwise be paid by the Treasurer under subsection 1.

R.S.O. 1960,  
c. 392, s. 48,  
re-enacted

**6.** Section 48 of *The Teachers' Superannuation Act*, as amended by section 24 of *The Teachers' Superannuation Amendment Act, 1966*, is repealed and the following substituted therefor:

**Refunds**

48.—(1) A person who,

- (a) has credit in the Fund for less than ten years of service and who ceases to be employed; or
- (b) has credit in the Fund for ten or more years of service and who ceases to be employed before the calendar year in which he attained forty-five years of age,

is entitled to a refund of an amount equal to the whole of his contributions to the Fund with interest on each amount contributed for the period of time it was in the Fund at the rate of 3 per cent per annum compounded half-yearly, but no such refund shall be made until three months after the date upon which the person ceased to be employed.

**Idem**

- (2) Notwithstanding subsection 1, where a person has withdrawn his contributions from the Fund and subsequently was employed and again ceased to be employed, no refund under subsection 1 shall be made until twelve months have elapsed after the date upon which the person again ceased to be employed.

**Idem**

- (3) A person who has credit in the Fund for ten or more years of service and who was employed for at least twenty days in the calendar year in which he attained forty-five years of age is entitled to a refund of an amount equal to the whole of his contributions to the Fund in respect of service before the 1st day of January, 1965, with interest on each amount contributed for the period of time it was in the Fund at the rate of 3 per cent per annum compounded half-yearly, but no such refund shall be made until three months after the date upon which the person ceased to be employed.

R.S.O. 1960,  
c. 392, s. 58,  
par. 9a  
(1962-63,  
c. 138, s. 4),  
repealed

**7.** Paragraph 9a of section 58 of *The Teachers' Superannuation Act*, as enacted by section 4 of *The Teachers' Superannuation Amendment Act, 1962-63*, is repealed.

**Commence-  
ment**

**8.**—(1) This Act, except as provided in subsection 2, comes into force on the day it receives Royal Assent.



(2) Clause *a* of subsection 2 of section 23 of *The Teachers' <sup>Idem</sup> Superannuation Act*, as enacted by section 5 of this Act, comes into force on the 1st day of January, 1970.

**9.** This Act may be cited as *The Teachers' Superannuation <sup>Short title</sup> Amendment Act, 1968*.





## CHAPTER 134

## An Act to amend The Teaching Profession Act

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *i* of section 1 of *The Teaching Profession Act* is amended by striking out "or" in the third line, and by adding at the end thereof "or divisional board of education", so that the clause shall read as follows:

R.S.O. 1960,  
c. 393, s. 1,  
cl. *i*,  
amended

- (i) "board of trustees" means a board of education, board of high school trustees, board of public school trustees, board of separate school trustees or divisional board of education.

**2.** Subsection 2 of section 4 of *The Teaching Profession Act* is amended by striking out "in a normal school or in the Ontario College of Education" in the first and second lines and inserting in lieu thereof "in a teachers' college or in a college of education in Ontario", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 393, s. 4,  
subs. 2,  
amended

- (2) Every student in a teachers' college or in a college of education in Ontario is an associate member of the Federation.

Associate  
members

**3.** Section 11 of *The Teaching Profession Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 393, s. 11,  
re-enacted

- 11.** The prescribed membership fee shall be deducted by the board of trustees from the salary of each teacher,

Collection  
of fees

- (a) where a single deduction is made, once in the month of November, or in the first full month thereafter in which the teacher begins a term of employment; or

(b)

(b) where instalment deductions are made,

(i) where a teacher is employed for ten months or more, in not fewer than ten instalments, and

(ii) where a teacher is employed for fewer than ten months, in fewer than ten instalments,

and shall be forwarded to the treasurer of the Federation.

R.S.O. 1960,  
c. 393, s. 12,  
cl. b,  
amended

**4.** Clause *b* of section 12 of *The Teaching Profession Act* is amended by adding at the end thereof "and the dates by which they are to be forwarded to the treasurer of the Federation", so that the clause shall read as follows:

(b) prescribing the fees to be paid by members of the Federation and the dates by which they are to be forwarded to the treasurer of the Federation.

Commence-  
ment

**5.** This Act comes into force on the day it receives Royal Assent.

Short title

**6.** This Act may be cited as *The Teaching Profession Amendment Act, 1968*.

## CHAPTER 135

## An Act to amend The Territorial Division Act

*Assented to July 23rd, 1968*  
*Session Prorogued July 23rd, 1968*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 1 of *The Territorial Division Act* is amended <sup>R.S.O. 1960, c. 395, s. 1, amended</sup> by inserting after “districts” in the second line and in the fourth line “and regional areas”, so that the section, exclusive of the paragraphs, shall read as follows:

1. The territorial division of Ontario into counties and districts and regional areas shall continue as herein-<sup>Existing organization continued</sup> after set forth, and subject to sections 4 and 5, for municipal and judicial purposes such counties, and for judicial purposes such districts and regional areas are respectively composed as follows:

(2) Paragraph 3 of the said section 1, as amended by <sup>R.S.O. 1960, c. 395, s. 1, par. 3, repealed</sup> subsections 1 and 2 of section 1 of *The Territorial Division Amendment Act, 1964*, is repealed.

(3) Clause *d* of paragraph 26 of the said section 1 is amended <sup>R.S.O. 1960, c. 395, s. 1, par. 26, cl. d, amended</sup> by striking out “Whitby” in the second column.

(4) The said section 1 is further amended by adding <sup>R.S.O. 1960, c. 395, s. 1, amended</sup> thereto the following paragraph:

26a. THE REGIONAL AREA OF THE REGIONAL MUNICIPALITY OF OTTAWA-CARLETON <sup>Ottawa-Carleton</sup>

consists of the municipalities from time to time included within the Regional Area as defined in *The Regional Municipality of Ottawa-Carleton Act, 1968*, c. 115, 1968.

(5) Clause *a* of paragraph 28 of the said section 1, as re-enacted by subsection 11 of section 1 of *The Territorial Division Amendment Act, 1964*, is amended by inserting after <sup>R.S.O. 1960, c. 395, s. 1, par. 28, cl. a, (1964, c. 116, s. 1, subs. 11) amended</sup> “Brampton” in the first line “Mississauga”.

R.S.O. 1960,  
c. 395, s. 1,  
par. 28,  
cl. c,  
amended

(6) Clause *c* of paragraph 28 of the said section 1 is amended by striking out "Toronto" in the second column.

R.S.O. 1960,  
c. 395, s. 1,  
par. 34,  
cl. c,  
amended

(7) Clause *c* of paragraph 34 of the said section 1 is amended by striking out "Cumberland" in the second column.

R.S.O. 1960,  
c. 395, s. 1,  
par. 44,  
cl. d,  
amended

(8) Clause *d* of paragraph 44 of the said section 1, as amended by subsection 4 of section 1 of *The Territorial Division Amendment Act, 1966* and subsection 11 of section 1 of *The Territorial Division Amendment Act, 1967*, is further amended by inserting after "Kirkwood" in the first column "Korah", by striking out "Opazatika" in the second column and inserting in lieu thereof "Opasatika" and by inserting after "Tarbutt Additional" in the third column "Tarentorus".

R.S.O. 1960,  
c. 395, s. 1,  
par. 50,  
cl. c,  
amended

(9) Clause *c* of paragraph 50 of the said section 1, as amended by subsection 14 of section 1 of *The Territorial Division Amendment Act, 1967*, is further amended by striking out "Humphry" in the second column and inserting in lieu thereof "Humphrey".

R.S.O. 1960,  
c. 395, s. 1,  
par. 53,  
cl. c,  
amended

(10) Clause *c* of paragraph 53 of the said section 1, as amended by subsection 20 of section 1 of *The Territorial Division Amendment Act, 1964*, is further amended by striking out "Paska" in the first column and by inserting after "Summers" in the second column "Suni".

R.S.O. 1960,  
c. 395, s. 2,  
par. 1,  
cl. b,  
amended

**2.**—(1) Clause *b* of paragraph 1 of section 2 of *The Territorial Division Act*, as amended by subsection 2 of section 2 of *The Territorial Division Amendment Act, 1967*, is further amended by striking out "Korah" in the first column and by striking out "Tarentorus" in the third column.

R.S.O. 1960,  
c. 395, s. 2,  
par. 7,  
amended

(2) Paragraph 7 of the said section 2 is amended by striking out "Humphry" in the second column and inserting in lieu thereof "Humphrey".

R.S.O. 1960,  
c. 395, s. 2,  
par. 8,  
cl. b,  
amended

(3) Clause *b* of paragraph 8 of the said section 2 is amended by striking out "Morley and Patullo" in the third column and inserting in lieu thereof "Morley".

Commence-  
ment

**3.**—(1) This Act, except subsections 1, 2, 4 and 7 of section 1, comes into force on the day it receives Royal Assent.

Idem

(2) Subsections 1, 2, 4 and 7 of section 1 come into force on the 1st day of January, 1969.

Short title

**4.** This Act may be cited as *The Territorial Division Amendment Act, 1968*.



CHAPTER 136

**An Act to repeal  
The Threshing Machines Act**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Threshing Machines Act* is repealed.

R.S.O. 1960  
c. 397,  
repealed
2. This Act comes into force on the day it receives Royal Assent.

Commence-  
ment
3. This Act may be cited as *The Threshing Machines Repeal Act, 1968*.

Short title



## CHAPTER 137

**An Act to amend The Tobacco Tax Act, 1965**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 2 of *The Tobacco Tax Act, 1965*, <sup>1965, c. 130, s. 2, subs. 1, re-enacted</sup> as amended by section 1 of *The Tobacco Tax Amendment Act, 1966*, is repealed and the following substituted therefor:

- (1) Every consumer shall pay to Her Majesty in right <sup>Tax on consumer</sup> of Ontario a tax computed at the rate of,
- (a) three-tenths of 1 cent on every cigarette purchased by him;
  - (b) one-half of 1 cent for every 5 cents or part thereof of the price at retail of every cigar purchased by him;
  - (c) 2.5 cents per ounce or part thereof of any tobacco, other than cigarettes or cigars, purchased by him.

**2.** This Act shall be deemed to have come into force on <sup>Commence-</sup> the 13th day of March, 1968. <sup>ment</sup>

**3.** This Act may be cited as *The Tobacco Tax Amendment Act, 1968*. <sup>Short title</sup>



## CHAPTER 138

**An Act to amend  
The Training Schools Act, 1965**

*Assented to June 13th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *a* of section 1 of *The Training Schools Act*, 1965, c. 132, 1965 is amended by striking out “Reform Institutions” in <sup>s. 1, cl. *a*, amended</sup> the first and second lines and inserting in lieu thereof “Correctional Services”, so that the clause shall read as follows:

(a) “Department” means the Department of Correctional Services.

(2) Clause *f* of the said section 1 is amended by striking <sup>1965, c. 132, s. 1, cl. *f*, amended</sup> out “Reform Institutions” in the first and second lines and inserting in lieu thereof “Correctional Services”, so that the clause shall read as follows:

(f) “Minister” means the Minister of Correctional Services.

(3) Clause *g* of the said section 1 is repealed. 1965, c. 132, s. 1, cl. *g*, repealed

**2.** Subsection 4 of section 8 of *The Training Schools Act*, 1965, c. 132, 1965 is repealed. s. 8, subs. 4, repealed

**3.** Section 11 of *The Training Schools Act*, 1965 is repealed and the following substituted therefor: 1965, c. 132, s. 11, re-enacted

11. The judge in his order sending a child to a training <sup>Contents of order</sup> school shall state, where practicable, the name, age and religious faith of the child.

**4.** Subsection 2 of section 12 of *The Training Schools Act*, 1965, c. 132, 1965 is amended by striking out “to the clerk of the municipality declared liable for the maintenance of the child” in <sup>s. 12, subs. 2, amended</sup> the second and third lines, so that the subsection shall read as follows:



Clerk  
to mail  
copies  
of order

- (2) The clerk of the court shall send by registered mail a certified copy of the order to the parent of the child, to the Department and to any other person the judge deems necessary.

1965,  
c. 132, s. 15,  
subs. 1,  
amended

**5.**—(1) Subsection 1 of section 15 of *The Training Schools Act, 1965* is amended by striking out “and, subject to subsection 2, the actual expense in so doing shall be borne by the municipality liable for maintenance” in the third, fourth and fifth lines, so that the subsection shall read as follows:

Transporta-  
tion of  
children  
to training  
school

- (1) Every child sent to a training school shall be taken to the training school by a probation officer or other person designated by the judge in his order.

1965,  
c. 132, s. 15,  
subs. 2,  
repealed

- (2) Subsection 2 of the said section 15 is repealed.

1965, c. 132,  
ss. 16, 17,  
repealed

**6.** Sections 16 and 17 of *The Training Schools Act, 1965* are repealed.

1965,  
c. 132, s. 18,  
subs. 1,  
amended

**7.** Subsection 1 of section 18 of *The Training Schools Act, 1965* is amended by striking out “or 17 or an order under subsection 2 of section 20” in the first and second lines, so that the subsection shall read as follows:

Appeals to  
Court of  
Appeal

- (1) A decision upon an appeal under section 13 is subject to an appeal to the Court of Appeal.

1965, c. 132,  
ss. 19-22,  
repealed

**8.** Sections 19, 20, 21 and 22 of *The Training Schools Act, 1965* are repealed.

1965, c. 132,  
s. 28, cl. k,  
repealed

**9.** Clause *k* of section 28 of *The Training Schools Act, 1965* is repealed.

Commence-  
ment

**10.**—(1) This Act, except subsections 1 and 2 of section 1, shall be deemed to have come into force on the 1st day of January, 1968.

Idem

(2) Subsections 1 and 2 of section 1 come into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**11.** This Act may be cited as *The Training Schools Amendment Act, 1968*.

CHAPTER 139

**An Act to repeal  
The Transportation of Fowl Act**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Transportation of Fowl Act* is repealed.

R.S.O. 1960,  
c. 405,  
repealed
2. This Act comes into force on the day it receives Royal Assent.

Commence-  
ment
3. This Act may be cited as *The Transportation of Fowl Repeal Act, 1968*.

Short title



## CHAPTER 140

**An Act to control the Content and Identification of Stuffing in Upholstered and Stuffed Articles upon their Manufacture, Sale and Renovation**

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) In this Act,

Interpre-  
tation

- (a) “Director” means the Director of the Consumer Protection Division of the Department of Financial and Commercial Affairs;
- (b) “manufacturer” means a person who inserts and covers stuffing in any article or part thereof in the manufacture of an upholstered or stuffed article or any part thereof;
- (c) “person” means an individual, an association of individuals, a partnership or a corporation and includes an agent of any of them;
- (d) “prescribed” means prescribed by the regulations;
- (e) “Registrar” means the Registrar of the Upholstered and Stuffed Articles Branch of the Department of Financial and Commercial Affairs;
- (f) “regulations” means the regulations made under this Act;
- (g) “renovator” means a person who renovates, repairs or alters an upholstered or stuffed article;
- (h) “second-hand article” means an upholstered or stuffed article that has been purchased from a retailer but does not include an upholstered or stuffed article returned to the retailer without use and with the original label attached;

(i)

- (i) "second-hand material" means material that has been used other than in a manufacturing process;
- (j) "stuffing" means any material used for padding, filling or cushioning, that is meant to be enclosed by a covering;
- (k) "upholstered or stuffed article" means an article any part of which contains stuffing.

Idem

(2) For the purposes of this Act and the regulations, an upholstered or stuffed article, other than one received for renovation and labelled under subsection 3 of section 14 or section 19, shall be deemed to be offered for sale while it is in the possession of or on the premises of a person carrying on business as a manufacturer, wholesaler, wholesaler-distributor or retailer.

Application

**2.** Sections 3, 14, 15 and 17 do not apply in respect of the manufacture, labelling and sale,

- (a) of shoulder pads and trimmings in articles of clothing;
- (b) of upholstery or articles manufactured as part of a vehicle or an aeroplane; or
- (c) of life-saving equipment that bears a stamp or label of approval of the Department of Transport of the Government of Canada.

Registration

**3.**—(1) No person shall carry on business as a manufacturer or as a renovator unless he is registered under this Act.

Existing  
registrations  
R.S.O. 1960,  
c. 321

(2) A registration made under *The Public Health Act* and the regulations thereunder and subsisting immediately before this section comes into force shall be deemed to have been made under this Act and expires at the end of the term for which it was originally granted.

Granting of registration

**4.**—(1) Subject to subsection 2, the Registrar shall grant registration to any person who applies therefor in the prescribed form and pays the prescribed fee.

Refusal of registration

(2) The Registrar may, after giving the applicant an opportunity to be heard, refuse to grant registration where, in his opinion,

- (a) the applicant;
- (b) a member of the applicant, where the applicant is an association or partnership;

(c)



- (c) an officer or director of the applicant, where the applicant is a corporation,

was a registrant, or member, officer or director of a registrant, whose registration has been cancelled, unless the Registrar is satisfied that material circumstances have changed.

5. Every registration expires one year after the date on which it was granted, unless it is sooner cancelled or suspended. <sup>Term of registration</sup>

6.—(1) Every applicant for registration shall state in the application an address for service and all notices under this Act or the regulations are sufficiently given or served for all purposes if delivered personally or sent by registered mail to the latest address for service so stated, or as changed under subsection 2, and a notice sent by registered mail shall be deemed to be given or served at the time it would be delivered in the ordinary course of mail. <sup>Address for service</sup>

(2) Every registrant shall within five days after the event notify the Registrar in writing of, <sup>Notice of changes</sup>

(a) any change in his address for service; and

(b) any change in the officers in the case of a corporation or of the members in the case of an association of individuals or a partnership.

7.—(1) Where the Registrar receives a complaint alleging the non-compliance of a registrant with this Act or the regulations and so requests in writing, the registrant shall furnish the Registrar with such information respecting the matter complained of as the Registrar requires. <sup>Investigation of complaints</sup>

(2) For the purposes of subsection 1, the Registrar or any person designated in writing by him may at any reasonable time make an inspection of and shall be given free access to the books, documents, records and premises of any registrant. <sup>Idem</sup>

8. The Registrar may, after giving the registrant an opportunity to be heard, suspend or cancel a registration where the registrant has contravened this Act or the regulations and has refused to comply with this Act or the regulations after being requested to do so by the Registrar in writing. <sup>Suspension and cancellations</sup>

9. Where the Registrar refuses to grant or suspends or cancels a registration, he shall, upon the request of the person whose registration or right to registration is affected, give <sup>Reasons</sup>

written

written reasons for his decision setting out the facts and statutory provisions upon which his decision is based.

Notice of  
decisions

**10.** The Registrar shall cause a notice of every direction, decision, order or ruling of the Registrar to be given to any person who in the opinion of the Registrar is affected thereby.

Review by  
Director

**11.—(1)** Any person whose registration or right to registration is affected by a decision of the Registrar may, by notice in writing served upon the Registrar within thirty days after the giving of the notice under section 10, request a hearing and review of the matter by the Director.

Notice

(2) Where a hearing and review are requested, the Director shall serve notice upon the person who requested the review notifying him of the time and place of the hearing, which shall be within thirty days of the serving of the notice under subsection 1, except with the consent of the person who requested the review.

Evidence

(3) Upon a review, the Director shall hear such evidence as is submitted to him that in his opinion is relevant to the matter in dispute, and all oral evidence submitted shall be taken down in writing and, together with such documentary evidence and things as are received in evidence by him, forms the record.

Idem

(4) For the purposes of a review, the Director,

- (a) may administer oaths to witnesses and require them to give evidence under oath;
- (b) may issue summonses requiring the attendance of witnesses and the production of documents and things.

Enforce-  
ment of  
summons

(5) If any person,

- (a) on being duly summoned as a witness before the Director makes default in attending; or
- (b) being in attendance as a witness refuses to take an oath legally required by the Director to be taken, or to produce any document or thing in his power or control legally required by the Director to be produced by him, or to answer any question to which the Director may legally require an answer; or
- (c) does any other thing which would, if the Director had been a court of law having power to commit for contempt, have been contempt of that court,

the Director may certify the offence of that person under his hand to the High Court, and the court may thereupon inquire into the alleged offence and after hearing any witnesses who may be produced against or on behalf of the person charged with the offence, and after hearing any statement that may be offered in defence, punish or take steps for the punishment of that person in like manner as if he had been guilty of contempt of the court.

(6) Upon a review, the Director may confirm or revoke <sup>Decision of Director</sup> the decision of the Registrar or may make any other decision he deems proper.

(7) Notice of the decision of the Director made upon a <sup>Notice of decision and reasons</sup> review shall be served forthwith upon the person who requested the review, together with written reasons for his decision.

**12.**—(1) Where the Director has reviewed a decision and <sup>Appeal</sup> given his decision upon the review, the person who requested the review may appeal to a judge of the High Court.

(2) Every appeal shall be by originating notice of motion <sup>Form of appeal</sup> served upon the Director within thirty days after the service of the notice of decision.

(3) The Director shall certify to the Registrar of the <sup>Material on appeal</sup> Supreme Court,

- (a) the decision that has been reviewed by him;
- (b) his decision upon the review, together with his reasons therefor;
- (c) the record of the review; and
- (d) all written submissions and other material received by him in connection with the review.

(4) The Minister of Justice and Attorney General may <sup>Counsel</sup> designate counsel to assist the judge upon the hearing of an appeal under this section.

(5) An appeal under this section may be made on questions <sup>Decision of judge</sup> of law or fact or both and the judge may by his order direct the Director to make such decision as the Director is authorized to make under section 11 and as the judge deems proper, and thereupon the Director shall act accordingly.

(6) The order of the judge is final.

<sup>Appeal final</sup>

Right to  
counsel

**13.**—(1) Every person whose registration or right to registration may be affected by a hearing under this Act is entitled to be represented by counsel at the hearing.

Stay  
pending  
appeals

(2) The suspension or cancellation of a registration is stayed until the decision to suspend or cancel becomes final.

Labelling:  
on manufac-  
ture and  
renovation

**14.**—(1) Every manufacturer and every renovator shall, immediately upon its manufacture or receipt for renovation, affix to a conspicuous part of the main body of the upholstered or stuffed article a label in the prescribed form.

second-hand  
articles

(2) Every dealer in second-hand articles shall, immediately upon their receipt, affix to a conspicuous part of each second-hand article in his possession, a label in the prescribed form.

receipt for  
renovation

(3) Every person who receives an upholstered or stuffed article for the purpose of renovation shall, where such work is to be performed by someone other than that person or his employee, immediately upon its receipt, affix to a conspicuous part of the main body of the article a label in the prescribed form.

Sale

**15.**—(1) No person shall sell or offer for sale, whether by auction or otherwise, an upholstered or stuffed article that does not bear a label complying with the regulations and securely affixed to a conspicuous part of the main body of the article.

Exception

(2) Subsection 1 does not apply to the sale or offering for sale by a householder of his own household articles on his own premises.

Removal of  
labels

**16.** No person shall remove, deface or alter or attempt to remove, deface or alter any label affixed to an article before the article to which it is affixed is sold by retail and delivered or in the case of renovations is returned to the owner.

Sale of  
articles  
of unreg-  
istered  
manufac-  
turer

**17.** No person shall sell or offer for sale, whether by auction or otherwise, an upholstered or stuffed article, other than a second-hand article, that has not been manufactured by a manufacturer who is registered under this Act, or manufactured in a province designated by the regulations.

Second-  
hand  
material

**18.**—(1) No person shall use second-hand material as stuffing in the manufacture of an upholstered or stuffed article or add second-hand material as stuffing in its renovation.



(2) No person shall use material that contains vermin or <sup>Unclean material</sup> is unclean in the manufacture or renovation of any upholstered or stuffed article.

(3) No person shall use feathers or feather products in <sup>Feathers</sup> the manufacture or renovation of an upholstered or stuffed article unless the feathers or feather products have first been processed in the manner prescribed by the regulations.

**19.**—(1) No person shall sell or offer for sale an upholstered or stuffed article that, <sup>Unsanitary stuffing</sup>

- (a) has been in contact with a person suffering from a communicable disease;
- (b) is so soiled or in such condition as is likely to affect adversely the health of any person; or
- (c) contains vermin,

unless the article has been sterilized or disinfested in the manner prescribed by the regulations.

(2) Where an upholstered or stuffed article to which <sup>Destruction</sup> subsection 1 applies is offered for sale by a dealer and the Registrar or the local medical officer of health believes on reasonable and probable grounds that the article can not be satisfactorily treated and endangers public health, the Registrar or local medical officer of health may, by order in writing, require that the article be destroyed.

(3) Where a person deems himself aggrieved by an order <sup>Appeal</sup> under subsection 2, he may appeal therefrom to the Director by filing with the Director a notice of appeal within five days after service of the order appealed against.

(4) Pending an appeal, the appellant shall not dispose <sup>Preservation of article</sup> of the article forming the subject-matter of the appeal.

(5) After giving the appellant an opportunity to be heard, <sup>Decision of Director</sup> the Director shall confirm, revoke or modify the order appealed against and the appellant shall carry out the order of the Director.

(6) Every order under this section shall be in writing and shall be served upon the appellant together with written <sup>Service of order and reasons</sup> reasons for the decision.

**20.**—(1) The Registrar or any person designated in writing <sup>Inspection</sup> by him may at all reasonable times enter and inspect,

(a)



- (a) the premises where upholstered or stuffed articles are manufactured or renovated;
- (b) the premises where materials for stuffing are processed;
- (c) the premises where upholstered or stuffed articles are offered for sale,

and such inspection may include the examination of the stuffing in upholstered or stuffed articles by means of reasonably representative sampling.

Off-sale  
labels

(2) Where, upon an inspection under subsection 1, the person making the inspection finds that any upholstered or stuffed article is not labelled in accordance with this Act or the regulations, he may affix thereto an off-sale label in the prescribed form, and shall remove the off-sale labels when the labelling is corrected.

Idem

(3) Where, upon an inspection under subsection 1, the person making the inspection has reasonable and probable grounds for believing that stuffing does not comply with section 18 or 19, he,

- (a) may take upholstered or stuffed articles or stuffing for the purposes of testing;
- (b) may affix off-sale labels to the articles or stuffing concerned; and
- (c) shall have the specimens taken tested with all reasonable dispatch.

Removal of  
off-sale  
labels

**21.**—(1) The Registrar or a person designated in writing by him shall remove an off-sale label,

- (a) that has been affixed under subsection 2 of section 20, when the labelling is corrected; or
- (b) that has been affixed under subsection 3 of section 20, when the tests indicate that sections 18 and 19 do not apply or when those sections have been complied with.

Idem

(2) No person, other than the Registrar or any person designated in writing by him, shall remove an off-sale label that has been affixed under section 20.

Preserva-  
tion of  
off-sale  
articles

**22.**—(1) Subject to subsection 2, no person shall sell, offer to sell, exchange, lease or remove from the premises where it is located, any article placed off-sale under section 20,

and

and such article shall be produced by the person having possession of the article on demand of the Registrar or any person designated in writing by him at any time until the off-sale label is removed by a person authorized by section 21.

(2) The person having possession of an off-sale article may, with the written consent of the Registrar or any person designated in writing by him, return the off-sale article to his supplier. <sup>Exception</sup>

**23.** No action or other proceeding for damages shall be instituted against the Director or the Registrar or any person acting under his authority for any act done in good faith in the execution or intended execution of his duty under this or any other Act or for any alleged neglect or default in the execution in good faith of any such duty. <sup>Protection from personal liability</sup>

**24.** Every employer shall take every precaution, reasonable in the circumstances, to ensure that his employees do not contravene this Act or the regulations or any order made under this Act. <sup>Duty of employers</sup>

**25.**—(1) Except where otherwise provided, every person who, <sup>Offence, general</sup>

- (a) contravenes this Act or the regulations;
- (b) fails to comply with any order made under this Act; or
- (c) furnishes false information in any application under this Act or in any statement or return required to be furnished under this Act,

is guilty of an offence and on summary conviction is liable to a fine of not more than \$500 or, if such person is a corporation, to a fine of not more than \$2,000.

(2) Where a corporation is guilty of an offence under subsection 1, every director or officer who authorized, permitted or acquiesced in the offence is also guilty of an offence and on summary conviction is liable to a fine of not more than \$500. <sup>Idem</sup>

(3) No proceeding under clause *a* or *b* of subsection 1 shall be instituted more than three years after the time when the subject-matter of the proceeding arose. <sup>Limitation</sup>

(4) No proceeding under clause *c* of subsection 1 shall be commenced more than one year after the facts upon which the proceeding is based first came to the knowledge of the Registrar. <sup>Idem</sup>

Offence,  
obstruction

**26.** Any person who obstructs, hinders, delays or prevents any person authorized by this Act to enter and inspect any premises or examine any stuffed article is guilty of an offence and on summary conviction is liable to a fine of not more than \$250.

Certificate  
as evidence

**27.** A statement as to,

- (a) the registration or non-registration of any person;
- (b) the filing or non-filing of any document or material required or permitted to be filed with the Registrar;
- (c) the time when the facts upon which proceedings are based first came to the knowledge of the Registrar; or
- (d) any other matter pertaining to such registration, non-registration, filing or non-filing, or to any such person, document or material,

purporting to be certified by the Registrar is, without proof of the office or signature of the Registrar, receivable in evidence as *prima facie* proof of the facts stated therein for all purposes in any action, proceeding or prosecution.

Regulations

**28.** The Lieutenant Governor in Council may make regulations,

- (a) providing for registrations required by this Act;
- (b) requiring the payment of fees for any matter connected with registration and prescribing the amounts thereof;
- (c) prescribing the form of labels required or authorized by this Act to be affixed to upholstered and stuffed articles, or any class thereof, and adopting labels affixed under the laws of any other province designated by the regulations;
- (d) prescribing procedures for the taking of samples and the attaching and removal of off-sale labels;
- (e) designating provinces for the purposes of section 17;
- (f) prescribing the processing that shall be used for feathers and feather products used as stuffing;
- (g) prescribing processes for sterilizing and disinfecting for the purposes of section 19;

(h)

(h) prescribing forms for the purposes of this Act and providing for their use.

**29.** This Act comes into force on the 1st day of September, <sup>Commence-</sup>  
1968. <sub>ment</sub>

**30.** This Act may be cited as *The Upholstered and Stuffed* <sup>Short title</sup>  
*Articles Act, 1968.*





## CHAPTER 141

**An Act to amend The Vocational Rehabilitation Services Act, 1966**

*Assented to March 28th, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 8 of *The Vocational Rehabilitation Services Act*, 1966, c. 159, s. 8, re-enacted 1966 is repealed and the following substituted therefor:

8.—(1) Any applicant for or recipient of vocational rehabilitation services may request a hearing and review by the board of review appointed under *The Family Benefits Act, 1966* of a decision, order or directive of the Director affecting the applicant or recipient, as the case may be. Application for review 1966, c. 54

(2) The provisions of *The Family Benefits Act, 1966* relating to the powers, duties and procedures of the board of review appointed under that Act, and relating to procedure on appeals therefrom to the Court of Appeal, apply *mutatis mutandis* to a hearing and review by the board under this Act. Provisions of 1966, c. 54 to apply

**2.** This Act comes into force on the day it receives Royal Assent. Commencement

**3.** This Act may be cited as *The Vocational Rehabilitation Services Amendment Act, 1968*. Short title



## CHAPTER 142

## An Act to amend The Wages Act

*Assented to, except s. 3, March 28th, 1968*

*Section 3 assented to June 13th, 1968*

*Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 6 of section 7 of *The Wages Act*, as re-enacted by section 1 of *The Wages Amendment Act, 1960-61*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 421, s. 7,  
subs. 6  
(1960-61,  
c. 103, s. 1)  
re-enacted

(6) Subject to subsection 7, an assignment of wages or any portion thereof to secure payment of a debt is invalid.

Wage  
assign-  
ments

(7) A debtor may assign to a credit union to which *The Credit Unions Act* applies such portion of his wages as does not exceed the portion thereof that is liable to attachment or seizure under this section.

Idem,  
credit  
unions

R.S.O. 1960,  
c. 79

**2.** Section 1 applies to wage assignments given after this Act comes into force.

Applica-  
tion

**3.** Section 10 of *The Wages Act*, as enacted by section 1 of *The Wages Amendment Act, 1962-63*, is repealed.

R.S.O. 1960  
c. 421, s. 10  
(1962-63,  
c. 143, s. 1)  
repealed

**4.**—(1) This Act, except section 3, comes into force on the day it receives Royal Assent.

Commence-  
ment

(2) Section 3 comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Idem

**5.** This Act may be cited as *The Wages Amendment Act, 1968*.

Short title



## CHAPTER 143

# An Act to amend The Workmen's Compensation Act

*Assented to July 23rd, 1968  
Session Prorogued July 23rd, 1968*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *u* of subsection 1 of section 1 of *The Workmen's Compensation Act*, as amended by subsection 2 of section 1 of *The Workmen's Compensation Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 437, s. 1,  
subs. 1,  
cl. *u*,  
re-enacted

- (*u*) "workman" includes a person who has entered into or is employed under a contract of service or apprenticeship, written or oral, express or implied, whether by way of manual labour or otherwise, and includes a learner and a member of a municipal volunteer fire brigade, and includes an independent operator admitted by the Board under section 90*a*, and includes a person who is called out under *The Fires Extinguishment Act* or who is summoned to assist in controlling and extinguishing a fire under *The Forest Fires Prevention Act*, but where used in Part I does not include an outworker or an executive officer of a corporation or a person whose employment is of a casual nature and who is employed otherwise than for the purposes of the employer's trade or business.

R.S.O. 1960,  
cc. 149, 152

(2) The said section 1 is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 437, s. 1,  
amended

(1*a*) For the purposes of this Act, every person,

Persons who  
assist in fire  
fighting  
under

- (*a*) who turns out and assists in extinguishing or stopping the progress of a fire under *The Fires Extinguishment Act* shall, while so engaged, be deemed to be an employee of the township that called him out; or

R.S.O. 1960,  
cc. 149, 152

(*b*)



- (b) who is summoned and assists in controlling and extinguishing a fire under *The Forest Fires Prevention Act* shall, while so engaged, be deemed to be an employee of the Crown in right of Ontario,

and his earnings for compensation purposes shall be the rate of earnings established at his regular employment under section 44.

R.S.O. 1960,  
c. 437, s. 1,  
subs. 3,  
re-enacted

(3) Subsection 3 of the said section 1, as amended by subsection 3 of section 1 of *The Workmen's Compensation Amendment Act, 1962-63*, subsection 4 of section 1 of *The Workmen's Compensation Amendment Act, 1964* and subsection 3 of section 1 of *The Workmen's Compensation Amendment Act, 1965*, is repealed and the following substituted therefor:

Volunteer  
fire brigade

- (3) For the purposes of this Act, a municipal corporation, commission or board mentioned in subsection 2 shall be deemed to be the employer of a member of a municipal volunteer fire brigade, and such employment shall be deemed to be included in the exercise and performance of the powers and duties of the corporation, commission or board and it shall yearly, on or before such date as the Board may prescribe or at such other times as the Board may prescribe, notify the Board, specifying the number of volunteers engaged and shall select such amount of coverage for such volunteers, which in no case shall be less than \$2,500 or more than the maximum rate of annual earnings established by subsection 1 of section 44.

R.S.O. 1960,  
c. 437, s. 3,  
subs. 1,  
cl. a,  
re-enacted

**2.**—(1) Clause *a* of subsection 1 of section 3 of *The Workmen's Compensation Act*, as amended by section 2 of *The Workmen's Compensation Amendment Act, 1962-63* and section 2 of *The Workmen's Compensation Amendment Act, 1964*, is repealed and the following substituted therefor:

- (a) does not disable the workman beyond the day of accident from earning full wages at the work at which he was employed; or

. . . . .

R.S.O. 1960,  
c. 437, s. 3,  
subs. 3,  
re-enacted

(2) Subsection 3 of the said section 3 is repealed and the following substituted therefor:

When com-  
pensation  
to date from

- (3) Compensation for disability shall be computed and payable from and including the day following the day of the accident or from the date of the disability, whichever is the later.

- (3) Subsection 4 of the said section 3 is repealed.

R.S.O. 1960,  
c. 437, s. 3,  
subs. 4,  
repealed

3. Section 8 of *The Workmen's Compensation Act* is repealed.

R.S.O. 1960,  
c. 437, s. 8,  
repealed

- 4.—(1) Subsection 1 of section 9 of *The Workmen's Compensation Act* is amended by striking out "compensation" in the fifth line and in the sixth line and inserting in lieu thereof in each instance "benefits", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 437, s. 9,  
subs. 1,  
amended

- (1) Where an accident arising out of and in the course of his employment happens to a workman under such circumstances as entitle him or his dependants to an action against some person other than his employer, the workman or his dependants, if entitled to benefits under this Part, may claim such benefits or may bring such action.

Where  
workman  
entitled  
to action  
against  
person  
other than  
employer

- (2) Subsection 2 of the said section 9 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 437, s. 9,  
subs. 2,  
re-enacted

- (2) If less is recovered and collected by a judgment in the action or by settlement than the amount of benefits to which the workman or his dependants are entitled under this Part, the difference between the amount recovered and collected and the amount of such benefits is payable to the workman or his dependants.

Workman  
entitled to  
difference  
between  
benefits and  
amount  
collected

- (2a) Subsection 2 applies to a settlement only if the approval of the Board to such settlement has been given before the settlement is made.

Settlements  
to be  
approved

- (3) Subsection 3 of the said section 9 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 437, s. 9,  
subs. 3,  
re-enacted

- (3) If the workman or his dependants elect to claim benefits under this Act, the employer, if he is individually liable to pay it, and the Board, if the compensation is payable out of the accident fund, are subrogated to all rights of the workman or his dependants in respect of the injury to the workman and may maintain an action in the name of the workman, or of the Board if the employer is in Schedule 1, or of the employer if he is in Schedule 2, against the person against whom the action lies, and any amount recovered over and above all amounts expended by the Board or the employer in respect of such claim and action shall be paid to the workman or his dependants and any such

Subrogation  
of employer  
or Board to  
rights of  
workman

surplus paid to the workman or his dependants shall be deducted from the amount of any future compensation or other benefits to which he or they may become entitled in respect of the accident that gave rise to the injury.

Recovery of  
amounts of  
benefits

- (3a) The employer in Schedule 2 or the Board may, in the action under subsection 3, also recover any amounts expended on behalf of the workman or his dependants by way of compensation or other benefits and has the exclusive right to determine whether such action shall be maintained, abandoned or compromised.

R.S.O. 1960,  
c. 437, s. 9,  
subs. 5,  
re-enacted

- (4) Subsection 5 of the said section 9 is repealed and the following substituted therefor:

Where  
workman or  
dependant  
is an infant

- (5) If a workman or a dependant is under the age of twenty-one years, the election under subsection 1 may be made on his behalf by a parent or guardian or by the Official Guardian.

Where  
workman  
incapable  
of making  
election

- (5a) If a workman is mentally incapable of making the election under subsection 1 or is unconscious as a result of his injury and no committee has been appointed, his dependant spouse may make such election, but if no election is made within sixty days after the day of the injury, the Public Trustee shall elect on behalf of the injured workman.

R.S.O. 1960,  
c. 437, s. 9,  
subs. 6,  
re-enacted

- (5) Subsection 6 of the said section 9 is repealed and the following substituted therefor:

Right of  
action as  
against  
employer in  
Schedule 1

- (6) No employer in Schedule 1 and no workman of an employer in Schedule 1 or dependant of such workman has a right of action for damages against any employer in Schedule 1 or any workman of such employer, for an injury for which benefits are payable under this Act, where the workmen of both employers were in the course of their employment at the time of the happening of the injury, but, in any case where the Board is satisfied that the accident giving rise to the injury was caused by the negligence of some other employer or employers in Schedule 1 or their workmen, the Board may direct that the benefits awarded in any such case or a proportion of them shall be charged against the class or group to which such other employer or employers belong and to the accident cost record of such individual employer or employers.

5. Section 12 of *The Workmen's Compensation Act*, as amended by section 3 of *The Workmen's Compensation Amendment Act, 1962-63* and section 3 of *The Workmen's Compensation Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 437, s. 12,  
re-enacted

12. Where compensation is payable out of the accident fund and an employer carries himself on his payroll or an executive officer of a corporation is carried on the payroll of the corporation at a salary or wage that the Board deems reasonable, but at a rate of not less than \$2,500 per annum or more than the maximum rate of annual earnings established by subsection 1 of section 44, and it is stated in the payroll statement furnished to the Board under section 92 that it is desired that such employer or executive officer be included as a workman, and the amount of his salary or wages is shown in such statement and included in the estimate for the year, such employer or executive officer shall be deemed to be a workman within the meaning of this Act and he is or his dependants are entitled to compensation accordingly, but, for the purpose of determining the compensation, his earnings shall not be taken to be more than the amount of his salary or wages as shown by such statement.

Where employer carried on payroll, he and dependants entitled to compensation

6. Section 25 of *The Workmen's Compensation Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 437, s. 25,  
re-enacted

25. Any weekly or other periodical payment to a workman may be reviewed at the request of the employer or the workman or of the Board's own motion and on such review the Board may put an end to or diminish or increase such payment to a sum not beyond the maximum hereinafter prescribed.

Review of compensation

7.—(1) Subsection 1 of section 37 of *The Workmen's Compensation Act*, as amended by subsections 1 and 2 of section 4 of *The Workmen's Compensation Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 437, s. 37,  
subs. 1,  
re-enacted

- (1) Where death results from an injury, the amount of the compensation shall be,
- (a) the necessary expenses of the burial or cremation of the workman, not exceeding \$400;
- (b) where owing to the circumstances of the case the body of the workman is transported for a considerable distance for burial or cremation,

Compensation in case of death



- a further sum for necessary extra expenses of the burial or cremation thus entailed;
- (c) where the widow or an invalid husband is the sole dependant, a monthly payment of \$125;
  - (d) where the dependants are a widow or an invalid husband and one or more children, a monthly payment of \$125, with an additional monthly payment of \$50 to be increased upon the death of the widow or invalid husband to \$60 for each child under the age of sixteen years;
  - (e) where the dependants are children, a monthly payment of \$60 to each child under the age of sixteen years;
  - (f) where the dependants are persons other than those mentioned in clauses *c*, *d* and *e*, a sum reasonable and proportionate to the pecuniary loss to such dependants occasioned by the death, to be determined by the Board, but not exceeding in the whole \$150 per month.

R.S.O. 1960,  
c. 437, s. 37,  
subs. 3,  
re-enacted

(2) Subsection 3 of the said section 37, as amended by subsections 3 and 4 of section 4 of *The Workmen's Compensation Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Compensation in  
death cases,  
maximum  
and  
minimum

- (3) Exclusive of the expenses of the burial or cremation of the workman and the lump sum of \$500, the monthly compensation payable under subsection 1 shall not in any case exceed the average monthly earnings of the workman and, if the monthly compensation so payable exceeds such earnings, it shall be reduced accordingly and, where several persons are entitled to monthly payments, the payments shall be reduced proportionately, provided that the minimum monthly compensation shall be,
  - (a) where the widow or an invalid husband is the sole dependant, \$125;
  - (b) where the dependants are a widow or an invalid husband and one or more children, \$125 for the widow or invalid husband with a further payment of \$50, to be increased on the death of the widow or invalid husband to \$60, for each child, not exceeding in the whole \$275; or

(c)



- (c) where the dependants are children, \$60 to each child, not exceeding in the whole \$275.

(3) Subsection 5 of the said section 37 is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 437, s. 37,  
subs. 5,  
re-enacted

- (5) In addition to any other compensation provided for, the widow or, where the workman leaves no widow, the foster-mother, as in subsection 4 described, is entitled to a lump sum of \$500.

Payment of  
lump sum

(4) Subsections 1, 3 and 5 of section 37 of *The Workmen's Compensation Act*, as re-enacted by subsections 1, 2 and 3, applies to all pension payments accruing on or after the 1st day of August, 1968, whether the accident happened before or after that date and whether the award of compensation was made before or after that date, but nothing in such subsections 1, 3 and 5 entitles any person to claim additional compensation for any period prior to the 1st day of August, 1968.

Application  
of section

8. Section 40 of *The Workmen's Compensation Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 437, s. 40,  
re-enacted

40. Where temporary total disability results from the injury, the compensation shall be a weekly payment of 75 per cent of the workman's average weekly earnings, and is payable so long as the disability lasts.

Temporary  
total dis-  
ability

9. Section 40a of *The Workmen's Compensation Act*, as enacted by section 5 of *The Workmen's Compensation Amendment Act, 1964*, is amended by striking out "been awarded or who at any time in the future is awarded compensation for permanent disability" in the first, second and third lines and inserting in lieu thereof "become entitled to benefits under this Act", so that the section shall read as follows:

R.S.O. 1960  
c. 437,  
s. 40a  
(1964,  
c. 124, s. 5),  
amended

- 40a. Where a workman, who has become entitled to benefits under this Act and has returned to employment, becomes entitled to payment for temporary disability by reason of any matter arising out of the original accident, the compensation payable for such temporary disability shall be paid on either the average weekly earnings at the date of the accident or the average weekly earnings at the date of recurrence of the disability, calculated in the manner set out in section 40, whichever is the greater.

Temporary  
disability  
subsequent  
to  
permanent  
disability

R.S.O. 1960,  
c. 437, s. 42,  
subs. 1,  
re-enacted

**10.**—(1) Subsection 1 of section 42 of *The Workmen's Compensation Act* is repealed and the following substituted therefor:

Permanent  
disability

- (1) Where permanent disability results from the injury, the impairment of earning capacity of the workman shall be estimated from the nature and degree of the injury, and the compensation shall be a weekly or other periodical payment during the lifetime of the workman, or such other period as the Board may fix, of a sum proportionate to such impairment not exceeding in any case the like proportion of 75 per cent of his average weekly earnings during the previous twelve months or such lesser period as he has been employed.

Payable  
where  
award for  
temporary  
disability

- (1a) Compensation for permanent disability is payable whether or not an award is made for temporary disability.

R.S.O. 1960,  
c. 437, s. 42,  
amended

- (2) The said section 42 is amended by adding thereto the following subsection:

Compensa-  
tion for  
disfigure-  
ment

- (5) Notwithstanding subsection 1, where the workman is seriously and permanently disfigured about the face or head, the Board may allow a lump sum in compensation therefor.

R.S.O. 1960,  
c. 437, s. 44,  
subs. 1,  
amended

**11.** Subsection 1 of section 44 of *The Workmen's Compensation Act*, as amended by section 6 of *The Workmen's Compensation Amendment Act, 1962-63*, is further amended by striking out "\$6,000" in the amendment of 1962-63 and inserting in lieu thereof "\$7,000", so that the subsection shall read as follows:

How  
average  
earnings  
to be  
computed

- (1) Average earnings shall be computed in such a manner as is best calculated to give the rate per week or month at which the workman was remunerated but not so as in any case to exceed the rate of \$7,000 per annum.

R.S.O. 1960,  
c. 437, s. 50,  
re-enacted

**12.** Section 50 of *The Workmen's Compensation Act* is repealed and the following substituted therefor:

Payments  
in case of  
infant, etc.

50. If a workman or a dependant is under the age of twenty-one years or is of unsound mind or in the opinion of the Board is incapable of managing his

own affairs, any benefits to which he is entitled may be paid on his behalf to his parent, spouse or committee or to the Public Trustee or may be paid to such other person or applied in such manner as the Board deems in the best interest of such workman or dependant, and when paid to the Public Trustee, it is the duty of the Public Trustee to receive and administer any such money for the benefit of the workman or dependant.

**13.**—(1) Subsection 1 of section 51 of *The Workmen's Compensation Act*, as amended by section 7 of *The Workmen's Compensation Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 437, s. 51,  
subs. 1,  
re-enacted

- (1) Every workman who is entitled to compensation under this Part or who would have been so entitled had he been disabled beyond the day of the accident is entitled,

Medical  
aid, etc.,  
during  
disability

(a) to such medical aid as may be necessary as a result of the injury;

(b) to make the initial choice of doctor or other qualified practitioner for the purposes of this section;

(c) where, in the opinion of the Board, he is rendered helpless through permanent total disability, to such other treatment, services or attendance as may be necessary as a result of the injury.

(2) Subsections 2, 3 and 12 of the said section 51 are repealed and the following substituted therefor:

R.S.O. 1960,  
c. 437, s. 51,  
subs. 2, 3,  
12,  
re-enacted

- (2) In this Act, "medical aid" means medical, surgical, optometrical and dental aid, the aid of drugless practitioners under *The Drugless Practitioners Act*, the aid of chiropodists under *The Chiropody Act*, hospital and skilled nursing services, such artificial members and such appliances or apparatus as may be necessary as a result of the injury and the replacement or repair thereof when deemed necessary by the Board.

Interpre-  
tation

R.S.O. 1960,  
cc. 114, 57

- (3) The Board may pay and, where the employer is individually liable, the Board may order the employer to pay,

Payment  
for repair of  
artificial  
member or  
apparatus,  
etc.

(a)

- (a) for the replacement or repair of an artificial member or apparatus of a workman that is damaged as a result of an accident in the employment; and
- (b) on application, an allowance not exceeding \$104 per annum for the replacement or repair of clothing worn or damaged by reason of the wearing of a lower limb prosthesis supplied by the Board, and not exceeding \$52 per annum in respect of an upper limb prosthesis supplied by the Board,

and where the workman is unable to work because of the damage referred to in clause *a*, he is entitled to compensation as though the inability to work had been caused by a personal injury within the meaning of subsection 1 of section 3.

. . . . .

Duty of  
employer  
to furnish  
trans-  
portation

- (12) Every employer shall at his own expense furnish to any workman injured in his employment, who is in need of it, immediate conveyance and transportation to a hospital or a physician, located within the area or within a reasonable distance of the place of injury, or to the workman's home, and any employer failing so to do is liable, by order of the Board, to pay for such conveyance and transportation as may be procured by the workman or by anyone for him, or as may be provided by the Board.

R.S.O. 1960,  
c. 437, s. 53,  
re-enacted

**14.** Section 53 of *The Workmen's Compensation Act*, as amended by section 8 of *The Workmen's Compensation Amendment Act, 1964*, is repealed and the following substituted therefor:

Aid to  
injured  
workmen

- 53. To aid in getting injured workmen back to work and to assist in lessening or removing any handicap resulting from their injuries, the Board may take such measures and make such expenditures as it may deem necessary or expedient, and the expense thereof shall be borne, in Schedule 1 cases, out of the accident fund and, in Schedule 2 cases, by the employer individually, and may be collected in the same manner as compensation or expenses of administration.



**15.** Subsection 1 of section 57 of *The Workmen's Compensation Act* is amended by striking out "from Ontario" in the first and second lines, so that the subsection shall read as follows: R.S.O. 1960,  
c. 437, s. 57,  
subs. 1,  
amended

- (1) In the case of the death, illness or absence of a member or of his inability to act from any cause, the Lieutenant Governor in Council may appoint some person to act *pro tempore* in his stead and the person so appointed has all the powers and shall perform all the duties of a member. Appointment  
of  
member  
*pro tempore*

**16.**—(1) Subsection 2 of section 71 of *The Workmen's Compensation Act* is amended by adding thereto the following clauses: R.S.O. 1960,  
c. 437, s. 71,  
subs. 2,  
amended

- (c) providing for the terms and conditions upon which funds will be received and transferred under subsections 6, 7 and 8;
- (d) providing for the terms and conditions under which agreements may be entered into under subsection 8.

(2) The said section 71 is amended by adding thereto the following subsections: R.S.O. 1960,  
c. 437, s. 71,  
amended

- (6) Where an employee or a member of the Board becomes a member of the public service of Canada or the civil service of any province of Canada or of the civic service of any municipality or of the staff of any board, commission or public institution established under any Act of the Legislature of any province or of the Parliament of Canada, a sum of money equal to his contributions and credits in the superannuation fund or such portion thereof as the Board, subject to the approval of the Lieutenant Governor in Council, determines, shall be paid out of the superannuation fund into any like fund maintained to provide superannuation benefits for the members of such public, civil or civic service or staff, as the case may be. Transfer  
from super-  
annuation  
fund to  
like fund
- (7) Where a member of the public service of Canada or the civil service of any province of Canada or of the civic service of any municipality or of the staff of any board, commission or public institution established under any Act of the Legislature of any province or of the Parliament of Canada becomes a contributor to the superannuation fund and a sum of money is paid into the superannuation fund in Transfer  
to super-  
annuation  
fund



respect of the period during which he made contributions as a public, civil or civic servant, or an employee of any such board, commission or public institution, the Board, subject to the approval of the Lieutenant Governor in Council, may allow him such credit in the superannuation fund in respect of the sum and the period of service represented thereby as is determined.

Agreements  
authorized

- (8) Notwithstanding subsection 1 and the regulations made under subsection 2, the Board, subject to the approval of the Lieutenant Governor in Council, may enter into an agreement with any government, municipality, board, commission or public institution mentioned in subsection 6 or 7 to provide reciprocal arrangements for the transfer of contributions and credits and where such an agreement exists such transfer shall be in accordance with the agreement.

R.S.O. 1960,  
c. 437, s. 79,  
re-enacted

**17.** Section 79 of *The Workmen's Compensation Act* is repealed and the following substituted therefor:

Annual  
report

- 79.—(1) The Board shall after the close of each year file with the Minister of Labour an annual report upon the affairs of the Board.

Tabling

- (2) The Minister of Labour shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

R.S.O. 1960,  
c. 437, s. 86,  
subs. 6a  
(1964,  
c. 124, s. 9),  
amended

**18.** Subsection 6a of section 86 of *The Workmen's Compensation Act*, as enacted by section 9 of *The Workmen's Compensation Amendment Act, 1964*, is amended by adding at the end thereof "and may require the employer to establish one or more safety committees at plant level", so that the subsection shall read as follows:

Demerit  
system

- (6a) Where the work injury frequency and the accident cost of the employer are consistently higher than that of the average in the industry in which he is engaged, the Board, as provided by the regulations, may increase the assessment for that employer by such a percentage thereof as the Board may deem just, and may assess and levy the same upon the employer, and may require the employer to establish one or more safety committees at plant level.

**19.** Subsection 1 of section 99 of *The Workmen's Compensation Act*, as amended by section 9 of *The Workmen's Compensation Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 437, s. 99,  
subs. 1,  
re-enacted

- (1) Where the assessment is based on the payroll of the employer and there is included in it the wages or salary of a workman who has been paid more than the maximum rate of annual earnings established by subsection 1 of section 44, the excess shall be deducted from the amount of the payroll and the assessment shall be based on the amount of it as so reduced.

Deduction  
from  
payroll of  
proportion  
of wages

**20.** Section 107 of *The Workmen's Compensation Act* is repealed and the following substituted therefor:

R.S.O. 1960,  
c. 437,  
s. 107,  
re-enacted

107. In order to maintain the accident fund as provided by section 84, the Board may from time to time and as often as may be deemed necessary include in any sum to be assessed upon the employers and may collect from them such sums as may be deemed necessary for that purpose, and the sums so collected shall form a reserve fund and shall be invested in any of such securities as a trustee may invest in under *The Trustee Act*.

Formation  
of reserves

R.S.O. 1960,  
c. 408

**21.—**(1) Subsection 1 of section 115 of *The Workmen's Compensation Act* is amended by inserting after "after" in the first line "he learns of", so that the first four lines of the subsection shall read as follows:

R.S.O. 1960,  
c. 437,  
s. 115,  
subs. 1,  
amended

- (1) Every employer, within three days after he learns of the happening of an accident to a workman in his employment by which the workman is disabled from earning full wages or that necessitates medical aid, shall notify the Board in writing of,

Employers  
to give  
notice of  
accidents

. . . . .

(2) Subsection 2 of the said section 115 is amended by striking out "\$50" in the third line and inserting in lieu thereof "\$200", so that the subsection shall read as follows:

R.S.O. 1960,  
c. 437,  
s. 115,  
subs. 2,  
amended

- (2) For every contravention of subsection 1, the employer is guilty of an offence and on summary conviction is liable to a fine of not more than \$200.

Offence

**22.** Section 116 of *The Workmen's Compensation Act* is amended by adding thereto the following subsection:

R.S.O. 1960,  
c. 437,  
s. 116,  
amended

Agreements  
for sharing  
costs of  
silicosis  
claims

(10a) Notwithstanding any other provision in this Act, the Board may enter into an agreement with the appropriate authority in any other province or territory of Canada to provide for the sharing of the costs of silicosis claims in proportion to the exposure or estimated amount of exposure to silica dust encountered by the workman in the provinces or territories concerned.

Commence-  
ment

**23.** This Act comes into force on the 1st day of August, 1968, and sections 1, 2, 5 and 8, subsection 1 of section 10, and sections 11, 19 and 21 apply only in respect of accidents happening on or after that day, and sections 4, 6 and 9, subsection 2 of section 10, and sections 12, 13 and 22 apply in respect of accidents happening before or after that day.

Short title

**24.** This Act may be cited as *The Workmen's Compensation Amendment Act, 1968*.

PART II  
PRIVATE ACTS

Chapters 144 to 184





## CHAPTER 144

## An Act respecting the City of Barrie

*Assented to April 11th, 1968**Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Barrie by <sup>Preamble</sup> its petition has represented that it is desirous of establishing a parks and recreation Commission for the better development and supervision of its public parks and recreation facilities, and for such purposes to charge the Commission with the duties and responsibilities and give it the powers and privileges of Barrie Recreation Committee, established under *The Department of Education Act*, and of <sup>R.S.O. 1960, cc. 94, 329</sup> The Barrie Board of Park Management, established under *The Public Parks Act*; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,Interpre-  
tation

- (a) "City" means The Corporation of the City of Barrie;
- (b) "Commission" means The Parks and Recreation Commission of the City of Barrie;
- (c) "Council" means the council of the City.

**2.**—(1) Notwithstanding *The Department of Education Act* <sup>Parks and Recreation Commission</sup> and the regulations made thereunder and *The Public Parks Act*, there shall be a commission with the name of The Parks and Recreation Commission of the City of Barrie and composed of,

- (a) the head of the Council or his appointee;
- (b) one member of Council to be appointed by Council; and
- (c) five other persons appointed by the Council who shall be residents or ratepayers of the municipality but not members of Council.

Substitute  
for head of  
Council

(2) The head of the Council, with the approval of Council, may appoint a substitute, who is a member of the Council, to act for him from time to time.

Term of  
office

(3) The members of the Commission who are not members of the Council shall hold office for three years except in the case of such members of the first Commission, and the Council shall designate who shall hold office,

(a) until the 1st day of January of the year following the date of appointment;

(b) until the 1st day of January of the second year following the date of appointment; and

(c) until the 1st day of January of the third year following the date of appointment,

respectively, so that as nearly as possible one third of such members shall retire each year, and the member of the Commission who is a member of Council shall be appointed annually.

Re-appoint-  
ment

(4) The members of the Commission shall hold office until their successors are appointed, and are eligible for re-appointment.

Vacancies

(5) Where a member ceases to be a member of the Commission before the expiration of his term of office, the Council shall appoint another eligible person for the unexpired portion of the term and until his successor is appointed.

First  
appoint-  
ment

(6) The first appointments of members of the Commission made by the Council at its first regular meeting after the 1968 inaugural meeting are ratified and confirmed, and hereafter the appointments shall be made annually at the first meeting of the Council held after its organization, and any vacancy arising from any cause other than expiration of the time for which the member was appointed shall be filled at the first meeting of the Council held after the occurrence of the vacancy.

Quorum

(7) A majority of the members of the Commission constitutes a quorum.

Officers

(8) At its first meeting in every year, the Commission shall elect a chairman and a vice-chairman from among the members of the Commission, and, in the absence of the chairman, the vice-chairman shall preside and shall appoint a secretary who may, but need not be, a member of the Commission.

(9) The chairman, vice-chairman and secretary shall hold office at the pleasure of the Commission or for such period as the Commission may prescribe. Tenure of office of chairman and secretary

(10) When the chairman and vice-chairman or secretary are absent or unable to act, the Commission may appoint a chairman or secretary *pro tempore*. Chairman and secretary pro tempore

(11) The Commission may engage such employees and consultants as it deems expedient. Employees, etc.

(12) The Treasurer of the City shall be the treasurer of the Commission. Treasurer

**3.** Except as otherwise provided in this Act, *The Department of Education Act* and the regulations made thereunder and *The Public Parks Act*, except the provisions constituting a board of park management as a corporation and authorizing such a board to acquire and hold land, apply to the Commission as if it had been established in accordance with such Acts and regulations. Powers and duties of Commission, R.S.O. 1960, cc. 94, 329

**4.—**(1) When the first members of the Commission have been appointed, The Barrie Board of Park Management and The Barrie Recreation Committee are dissolved, and the assets and liabilities thereof become the assets and liabilities of the City. Dissolution of former bodies

(2) By-law No. 714 of the Town of Barrie and any by-laws amending the provisions of such by-law are repealed. By-laws repealed

**5.** The Commission may contract and may sue and be sued in its own name, and the members thereof are not personally liable for torts committed by other members of the Commission or its servants or agents or on any contract made by the Commission. Power to contract and sue

**6.—**(1) The Commission shall, on or before the 15th day of February in each year, submit to the Council an itemized estimate of its financial requirements for the year, and, subject to the provisions of *The Public Parks Act*, the Council may amend such estimate and shall pay out of the moneys appropriated for the Commission such amounts as may be requisitioned from time to time by the Commission. Estimates of Commission

(2) Where any moneys have been included in the estimates of the Commission for a specific purpose, they may be used by the Commission only for such specific purpose and not otherwise. Moneys for specific purposes

Commence-  
ment

**7.** This Act shall be deemed to have come into force on the 1st day of January, 1968.

Short title

**8.** This Act may be cited as *The City of Barrie Act, 1968*.

## CHAPTER 145

**An Act respecting the Town of Bowmanville**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the Town of Bowmanville by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** By-law No. 1943, passed by The Corporation of the Town of Bowmanville on the 4th day of October, 1965, being a by-law to authorize the construction of certain works as local improvements as set out in Schedule A, is hereby confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof without obtaining the approval of the Ontario Municipal Board, as required by section 8 of *The Local Improvement Act*.

By-law  
confirmed

R.S.O. 1960,  
c. 223

**2.** The council of The Corporation of the Town of Bowmanville may pass a by-law, without obtaining the approval of the Ontario Municipal Board, pursuant to paragraph 52 of subsection 1 of section 379 of *The Municipal Act*, authorizing the works described in Schedule B.

By-law  
authorized

R.S.O. 1960,  
c. 249

**3.** The council of The Corporation of the Town of Bowmanville may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal sum not exceeding \$23,300 payable in not more than twenty years, for the purpose of paying the cost of the works authorized by the by-laws referred to in sections 1 and 2, and such by-law when duly passed shall be legal, valid, and binding on the Corporation and the ratepayers thereof, notwithstanding sections 64 and 65 of *The Ontario Municipal Board Act*.

Debentures

R.S.O. 1960,  
c. 274

**4.** Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 3 and the debentures issued thereunder.

Application  
of  
R.S.O. 1960,  
c. 274,  
ss. 55-58



Commence-  
ment

**5.** This Act comes into force on the day it receives Royal Assent.

Short title

**6.** This Act may be cited as *The Town of Bowmanville Act, 1968*.

SCHEDULE A

LOCAL IMPROVEMENT BY-LAW No. 1943

Name of Work	Street	From	To	Total Cost	Corporation's Portion	Owners' Portion
Watermain 6"	Queen Street	Liberty Street	St. George Street	\$5,304.90	\$1,864.46	\$3,440.44

SCHEDULE B

SIMPSON AVENUE WORKS

Name of Work	Street	From	To	Total Cost
Watermain 8"	Simpson Avenue	Base Line	200' north of the 401 Highway	\$20,040.91
Sanitary Sewer 10"	Simpson Avenue	Base Line	200' north of the 401 Highway	
			Less winter works grant	2,095.50
				\$17,944.64



## CHAPTER 146

# An Act respecting Canadian Order of Foresters

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS Canadian Order of Foresters, and, in French, Preamble  
Ordre Canadien des Forestiers, hereinafter called the  
Society, by its petition has represented that it was incor-  
porated under the laws of the Province of Ontario by Declara-  
tion of Incorporation dated the 1st day of December, 1879,  
pursuant to chapter 167 of the Revised Statutes of Ontario,  
1877; and whereas the Society desires to be continued under  
the jurisdiction of the Parliament of Canada under the name  
of Canadian Foresters Life Insurance Society, and, in French,  
Forestiers Canadiens Société D'Assurance Vie; and whereas  
the petitioner has prayed for special legislation for such  
purposes; and whereas it is expedient to grant the prayer of  
the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** Subject to authorization by special resolution under Application  
to Parlia-  
ment of  
Canada  
authorized  
R.S.O. 1960,  
c. 71  
*The Corporations Act*, the Society may apply to the Parliament  
of Canada for a special Act continuing the Society under the  
name of Canadian Foresters Life Insurance Society, and, in  
French, Forestiers Canadiens Société D'Assurance Vie,  
as if it had been incorporated under the laws of Canada,  
and providing, *inter alia*, that all rights and interests of the  
members, policyholders and creditors of the Society in, to  
and against the property, rights and assets of the Society  
and liens upon the property, rights and assets of the Society  
are unimpaired by such continuation.

**2.** Upon the coming into force of the special Act referred to Application  
of  
R.S.O. 1960,  
c. 71  
in section 1, the Society shall file with the Provincial Secretary  
proof of the enactment and coming into force of such special  
Act, and, on and after the date of the filing of such notice,  
*The Corporations Act* and any successor thereto ceases to apply  
to the Society.

## Certificate

**3.** The Provincial Secretary may, on receipt by him of proof of the enactment and coming into force of the special Act referred to in section 1, issue a certificate to the Society confirming the date on which the provisions of section 2 take effect.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

## Short title

**5.** This Act may be cited as *The Canadian Order of Foresters Act, 1968*.



## CHAPTER 147

**An Act respecting Cardinal Insulation Limited**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS Melvin M. Anaka, Helen Anaka and Joseph Dexter by their petition have represented that Cardinal Insulation Limited, herein called the Corporation, was incorporated by letters patent dated the 11th day of August, 1955; that the Provincial Secretary, by Order dated the 11th day of August, 1966 and made under the authority of subsection 2 of section 326 of *The Corporations Act*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 22nd day of September, 1966; that the petitioners were all the directors and the holders of all the common shares of the Corporation at the time of its dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to each of the petitioners as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than one year after the date thereof; that the Corporation at the time of its dissolution was carrying on an active commercial business in the County of York, in the Province of Ontario; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1960,  
c. 71

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Cardinal Insulation Limited, incorporated by letters patent dated the 11th day of August, 1955, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Cardinal  
Insulation  
Limited  
revived

Commence-  
ment

**2.** This Act comes into force on the day it receives Royal Assent.

Short title

**3.** This Act may be cited as *The Cardinal Insulation Limited Act, 1968*.

## CHAPTER 148

## An Act respecting Carleton University

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS Carleton University by its petition has <sup>Preamble</sup> represented that it is a body incorporated under the laws of Ontario, and is invested with certain powers to acquire and hold land by virtue of *The Carleton College Act, 1952*, <sup>1952, c. 117</sup> as amended by *The Carleton University Act, 1957*, and that <sup>1957, c. 130</sup> it has purchased from English Oblates of Eastern Canada, a body incorporated under the laws of the Dominion of Canada, certain lands and premises, and buildings, fixtures and equipment therein; and whereas the petitioner has prayed for special legislation to confirm the said purchase; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** There shall be deemed not to have been any limitation <sup>Acquisition of land confirmed</sup> on the power of Carleton University to acquire, or of English Oblates of Eastern Canada to sell and convey, the lands and premises described in the deed of conveyance dated the 6th day of October, 1967, and registered in the registry office for the Registry Division of the City of Ottawa on the 3rd day of November, 1967, as No. 533889, conveying the lands described in the Schedule, and the buildings, fixtures and equipment therein; and, notwithstanding the provisions of any public or private Act of the Legislature of the Province of Ontario and in particular of *The Mortmain and Charitable Uses Act*, the said lands and premises shall be deemed to have <sup>R.S.O. 1960, c. 246</sup> been vested absolutely in Carleton University by the said deed of conveyance.

**2.** This Act shall be deemed to have come into force on <sup>Commencement</sup> the 3rd day of November, 1967.

**3.** This Act may be cited as *The Carleton University Act*, <sup>Short title</sup> 1968.

## SCHEDULE

*Firstly:*

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and being composed of part of Lot "G", Concession "C" (Rideau Front), in the Township of Nepean, County of Carleton, and which said parcel or tract of land may be more particularly described as follows: PREMISING that the northerly limit of Graham Avenue, according to a plan registered in the Registry Office for the Registry Division of the City of Ottawa as No. 90280, has an assumed bearing of North 59 degrees 40 minutes 40 seconds East as shown on the said plan and relating all bearings herein, thereto; COMMENCING at the southeast angle of said Lot "G", being also the northeasterly angle of Lot 1, Block "A", according to a plan registered in the said Registry Office as No. 102; thence North 22 degrees 31 minutes West along the easterly limit of said Lot "G", being the westerly limit of Main Street, a distance of 556.2 feet, more or less, to the point where the same is intersected by a chain link fence; thence South 67 degrees 20 minutes 50 seconds West along the line of the said fence and its westerly production a distance of 173.17 feet to an iron bar planted; thence North 35 degrees 39 minutes 10 seconds West, a distance of 144.75 feet to an iron bar planted in the southerly limit of said plan No. 90280; thence South 58 degrees 58 minutes 50 seconds West along the last-mentioned limit, a distance of 385.64 feet, more or less, to the intersection of the same with the Ordnance Boundary Line between Ordnance Stones X and XI; thence South 18 degrees 37 minutes East following the Ordnance Boundary Line between Ordnance Boundary Stones XI and X, 15.5 feet, more or less, to the Ordnance Boundary Stone XI; thence South 18 degrees 37 minutes East following the said Ordnance Boundary Line between Ordnance Boundary Stones XI and XIII, 38.7 feet, more or less, to the intersection of the said boundary line with the easterly limit of Echo Drive; thence South along the said easterly limit of Echo Drive to the intersection of the same with the southerly limit of said Lot "G", being the northerly limit of said registered plan No. 102; thence North 59 degrees 29 minutes East along the said southerly boundary of said Lot "G", a distance of 644 feet, more or less, to the place of beginning. (As outlined in red on the attached plan of survey.)

*Secondly:*

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and being composed of part of Lot 6, Block "G", on the easterly side of Echo Drive according to a plan registered in the Registry Office for the Registry Division of the City of Ottawa as No. 102 and which said parcel or tract of land may be more particularly described as follows: COMMENCING at the northwesterly angle of said Lot 6 as at present defined by an iron bar; thence easterly along the northerly limit of said Lot 6 a distance of 54.79 feet to the northeasterly angle thereof; thence southerly along the easterly limit of said Lot 6 a distance of 91.04 feet to the southeasterly angle thereof; thence westerly along the southerly limit of said Lot 6 a distance of 35 feet; thence northerly and parallel with the said easterly limit of said Lot 6 a distance of 38.42 feet, more or less, to a line drawn parallel with the said southerly limit of Lot 6 from a point in the westerly limit of said Lot 6, distant 45 feet measured northerly thereon from the southwestly angle thereof; thence westerly in a straight line a distance of 40.73 feet, more or less, to a point in the said westerly limit of said Lot 6, distant 47.16 feet measured northerly thereon from the southwestly angle thereof; thence northerly along the said westerly limit of said Lot 6 a distance of 40.09 feet to the said point of commencement. (As outlined in yellow on the attached plan of survey.)

*Thirdly:*

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and being composed of part of Lot One in Block "A" on the west side of

Main Street in the said City of Ottawa, as shown on a plan of subdivision of part of Lot "H", Concession "C" (Rideau Front), in the Township of Nepean, drawn from actual survey by W. J. MacDonald, P.L.S., and registered in the Registry Office for the Registry Division of the City of Ottawa as No. 102, more particularly described as follows: COMMENCING at a point on the easterly boundary of said Lot No. One (1) distant fifty-eight feet (58') measured northerly from the southeast angle of said lot; thence northerly along the said easterly boundary of said lot a distance of thirty-four feet (34') to the northeast angle of said lot; thence westerly and along the northerly boundary of the said lot a distance of one hundred feet (100') to the northwest angle of the said lot; thence southerly and along the westerly boundary of the said lot to a point in said westerly boundary distant fifty-eight feet (58') measured northerly from the southwest angle of said Lot No. One (1); thence easterly in a straight line to the place of beginning.

*Fourthly:*

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and being composed of Lot One (1) on the south side of Seventh Street, now called Hawthorne Avenue, in the said City of Ottawa, according to a plan of subdivision of part of the westerly part of the northerly part of Lot "G", Concession "D" (Rideau Front), in the Township of Nepean, drawn by C. A. Biggar, O.L.S., and registered in the Registry Office for the Registry Division of the City of Ottawa as No. 150.





## CHAPTER 149

## An Act respecting the Village of Chalk River

*Assented to April 11th, 1968*  
*Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the Village of Chalk River by its petition has represented that by By-law No. 1549 of The Corporation of the County of Renfrew, passed on the 23rd day of January, 1953, certain lands in the townships of Rolph, Buchanan, Wylie and McKay, as therein described, were erected into a village called the Village of Chalk River; that the effective date of incorporation was the 1st day of January, 1954; that the lands to be erected into the Village of Chalk River were described incorrectly in such by-law, and that it is necessary to correct the description of such lands; and whereas the petitioner has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** For all purposes, the lands described in the Schedule hereto shall be deemed to be the lands erected into a village called the Village of Chalk River by By-law No. 1549, passed by the council of The Corporation of the County of Renfrew on the 23rd day of January, 1953.

**2.** All assessments made and rates charged, collected or to be collected by The Corporation of the Village of Chalk River with respect to the lands described in the Schedule hereto are hereby confirmed and declared to be legal, valid and binding.

**3.** Nothing in section 2 deprives any person of any right of appeal under *The Assessment Act*.

**4.** This Act comes into force on the day it receives Royal Assent.

**5.** This Act may be cited as *The Village of Chalk River Act, 1968*.

## SCHEDULE

## SCHEDULE

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being partially in the Township of Buchanan and partially in the Township of Wylie, in the County of Renfrew, in the Province of Ontario, and being composed of all of lots 1, 2 and 3 in the Eighth Concession, all of Lot 2 in the Ninth Concession of the Township of Buchanan, part of Lot 1 in the Ninth Concession, part of Lot 2 in the Tenth Concession, part of Lot 3 in the Ninth Concession of the said Township of Buchanan, part of Lot 1 in the Eighth Concession of the Township of Wylie, all of Registered Plan No. 76, being lots 1 to 25 inclusive, Block "A", and all of Elizabeth Street, Peter Street, Albert Street and the Pembroke-Mattawa Road, now known as Highway No. 17; all of Registered Plan No. 113, being lots 1 to 24 inclusive, the School Plot, the 1-acre Plot and the 4-acre Plot and all of Wilson Street, Joseph Street, Mary Street, George Street and Pine Street; all of Registered Plan No. 132, being lots 100 to 110 inclusive, and all of Joseph Street and George Street; all of Registered Plan No. 172, being lots 1 to 69 inclusive, and all of Railway Street, Church Street, Station Street, Ontario Street, and all of the laneway at the rear of lots 1 to 25 inclusive, and all of the laneway at the rear of lots 34 to 57 inclusive; all of Registered Plan No. 233, being lots 70 to 105 inclusive, and all of Church Street, Railway Street, Algoma Street, and Quebec Street; part of Registered Plan No. 344, being all of Lot 13 and part of lots 7, 8, 11, 12, 14, 15, 27 and 28, and part of Block "A", and part of Sidney Street, and part of Spruce Street; all of the allowance for road as laid out in the original survey between lots 1, 2 and 3, Concession VIII, and lots 1, 2 and 3, Concession IX, of the said Township of Buchanan; part of the allowance for road as laid out in the original survey between Lot 1, Concessions VII and VIII, of the Township of Wylie, and Lot 1, Concessions VIII and IX, of the Township of Buchanan; containing a total area of 540 acres, be the same more or less, which said parcels or tracts of land may be more particularly described as follows:

COMMENCING at a survey post planted defining the southeastern angle of Lot 3, Concession VIII, of the said Township of Buchanan;

THENCE northwesterly along the said eastern limit of Lot 3 and continuing northwesterly to and along the eastern limit of Lot 3, Concession IX, in all a distance of 5016.0 feet to a survey post planted in the said eastern limit of Lot 3, Concession IX;

THENCE westerly parallel to the northern limit of said Lot 3, Concession IX, a distance of 660.0 feet to a survey post planted;

THENCE northwesterly parallel to the eastern limit of said Lot 3, Concession IX, a distance of 1650.99 feet, more or less, to a survey post planted in the northern limit of said Lot 3, Concession IX, being the limit between Concessions IX and X;

THENCE westerly thereon a distance of 660.0 feet, more or less, to a survey post planted defining the southeastern angle of Lot 2, Concession X;

THENCE northwesterly along the eastern limit of said Lot 2, Concession X, a distance of 825.0 feet to a survey post planted;

THENCE westerly parallel to the southern limit of said Lot 2, Concession X, a distance of 1221.0 feet, more or less, to the highwater mark along the shore of Black Duck Lake;

THENCE in a general southerly direction following the last-mentioned limit to its intersection with the western limit of Lot 2, Concession IX;

THENCE southeasterly thereon a distance of 1643.4 feet to a survey post planted in the said western limit of Lot 2, said post being distant 970.2 feet measured northerly along the said western limit of Lot 2, from the southwestern angle of said Lot 2;

THENCE

THENCE westerly parallel to the southern limit of said Lot 1, Concession IX, a distance of 1350.36 feet, more or less, to a survey post planted in the western limit of Lot 1, Concession IX;

THENCE continuing westerly parallel to the southern limit of Lot 1, Concession IX, a distance of 33.0 feet to the centre line of the allowance for road between the townships of Buchanan and Wylie;

THENCE southerly following the last-mentioned limit a distance of 564.96 feet, more or less, to its intersection with a line drawn easterly parallel to the southern limit of Lot 1, Concession VIII, of the Township of Wylie, from a point in the eastern limit of said Lot 1, Concession VIII, distant 1650.0 feet measured northerly along the said eastern limit of Lot 1, Concession VIII, from the southeastern angle of said Lot 1, Concession VIII, of the Township of Wylie;

THENCE westerly parallel to the southern limit of Lot 1, Concession VIII, of the Township of Wylie, a distance of 33.0 feet to a survey post planted;

THENCE continuing westerly parallel to the southern limit of said Lot 1, Concession VIII, of the Township of Wylie, a distance of 660.0 feet to a survey post planted;

THENCE southerly parallel to the eastern limit of said Lot 1, a distance of 1650.0 feet, more or less, to a survey post planted in the southern limit of said Lot 1;

THENCE easterly thereon a distance of 660.0 feet, more or less, to a survey post planted defining the southeastern angle of said Lot 1;

THENCE continuing along the easterly production of the southern limit of said Lot 1, Concession VIII, of the Township of Wylie, a distance of 33.0 feet to the centre line of the allowance for road between the townships of Wylie and Buchanan;

THENCE southerly along the said centre line of the allowance for road a distance of 2112.0 feet, more or less, to its intersection with the westerly production of the southern limit of Lot 1, Concession VIII, of the Township of Buchanan;

THENCE easterly thereon a distance of 33.0 feet to a survey post planted defining the southwestern angle of Lot 1, Concession VIII, of the said Township of Buchanan;

THENCE easterly along the southern limit of lots 1, 2 and 3, Concession VIII, Township of Buchanan, a distance of 3998.28 feet, more or less, to the point of commencement.





## CHAPTER 150

**An Act respecting The Community Foundation  
of Ottawa and District***Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS Herbert R. Balls, George R. Berry, Ada M. Browne, Anthony C. Butler, Q.C., G. Marcel Demers, D. Donald Diplock, Q.C., Stuart Godfrey, E. W. Irvine Keenleyside, Raymond C. Labarge, His Honour Judge Peter J. Macdonald, Velma Reid, Roderick S. Rooney, I. Norman Smith, Robert W. Southam, Henry Stubbins, Fletcher Troop and Lloyd Vineberg by their petition have represented that it is desirable and in the public interest to create a perpetual body to receive, maintain, manage, control and use donations for charitable purposes within Ontario; and whereas the petitioners have prayed that special legislation be passed for such purposes; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Herbert R. Balls, George R. Berry, Ada M. Browne, Anthony C. Butler, Q.C., G. Marcel Demers, D. Donald Diplock, Q.C., Stuart Godfrey, E. W. Irvine Keenleyside, Raymond C. Labarge, His Honour Judge Peter J. Macdonald, Velma Reid, Roderick S. Rooney, I. Norman Smith, Robert W. Southam, Henry Stubbins, Fletcher Troop and Lloyd Vineberg, and their successors, all of the City of Ottawa, in the County of Carleton, are hereby constituted a body corporate and politic without share capital under the name of The Community Foundation of Ottawa and District, hereafter called the Foundation.

Foundation  
incor-  
porated

(2) The head office of the Foundation shall be in the City of Ottawa.

Head  
office

**2.** The objects of the Foundation are to receive, maintain, manage, control and use donations for charitable purposes within Ontario.

Objects

Members of  
Foundation

3.—(1) The Board of Directors of the Foundation, hereafter called the Board, shall be composed of nine members.

(2) The first members of the Board shall be,

(a) Fletcher Troop, Jack Frost, Herbert R. Balls, who shall hold office for a term of one year;

(b) Raymond C. Labarge, George Edwin Beament, Q.C., I. Norman Smith, who shall hold office for a term of two years;

(c) Lawrence Freiman, George Berry, Andy Andras, who shall hold office for a term of three years.

Remunera-  
tion and  
term of  
office

(3) Members of the Board shall serve without remuneration and, subject to subsection 2, shall be appointed for a term of three years and are eligible for re-appointment subject to subsection 4.

Re-appoint-  
ment

(4) No member of the Board is eligible for re-appointment to a third term until one year has elapsed after he ceases to hold office.

Vacancies

(5) A vacancy occurring in the membership of the Board by reason of the expiration of a term of office shall be filled by appointment by the nominating committee provided for in section 4.

Idem

(6) A vacancy arising in the membership of the Board by reason of death, resignation or any other cause, other than the expiration of a term of office, shall be filled by appointment by the nominating committee provided for in section 4, and any person so appointed shall hold office for the unexpired portion of the term of office of his predecessor.

Composi-  
tion of  
nominating  
committee

4.—(1) There shall be a nominating committee composed of the persons holding the following offices from time to time:

1. The mayor of the City of Ottawa.
2. The senior judge of the county court of the County of Carleton.
3. The president of the Ottawa and District Community Chest.
4. The president of the Ottawa Board of Trade.
5. The president of the Canadian Labour Congress.
6. The Governor of the Bank of Canada.

(2) In event that a person holding any of the foregoing <sup>Alternate</sup> offices is unable or unwilling to act as a member of the nominating committee, the other members of the nominating committee shall appoint another member to act during the period in which the original member is unable or unwilling to act.

(3) The nominating committee shall meet annually or <sup>Meetings</sup> oftener upon the call of the secretary of the Board, if any, or upon the call of the chairman of the nominating committee whenever it is necessary to fill a vacancy in the Board.

(4) The nominating committee may make such rules <sup>Rules</sup> governing its procedure, including the appointment of a chairman, as it deems advisable.

(5) A quorum of the nominating committee for any meeting <sup>Quorum</sup> shall be not fewer than three of its members present in person, and a majority vote of all the members of the committee shall be required for the appointment of a member of the Board.

(6) If the nominating committee fails to appoint a person <sup>Appoint-ment by judge</sup> to fill a vacancy in the membership of the Board within ninety days after the vacancy occurs, the remaining members of the Board may apply to a judge of the Supreme Court of Ontario to make the appointment, and the judge to whom the application is made may appoint any person to fill the vacancy or make such other order as he deems just.

**5.—**(1) The Board may pass by-laws not contrary to this <sup>Powers of the Board</sup> Act to regulate and govern its procedure and actions and the conduct and administration of the affairs of the Foundation.

(2) Without limiting the generality of subsection 1, the <sup>Idem</sup> Board may pass by-laws,

(a) regulating the calling of and the procedure at meetings of the Board, and fixing the time and place of such meetings;

(b) fixing the quorum of the Board;

(c) regulating the appointment, functions, powers, duties, remuneration and removal of officers, servants and agents of the Foundation.

(3) Any by-law of the Board may be repealed or amended <sup>Repeal and amendment of by-laws</sup> by the Board in accordance with such rules or regulations as it may prescribe by by-law.

## Approval

(4) By-laws of the Board require the approval either at a meeting or in writing of the majority of the members of the Board.

Powers of  
Foundation**6. The Foundation is empowered,**

- (a) to receive directly donations of, and hold, control and administer, real and personal property of every kind and description wherever situated;
- (b) to receive donations or the benefit of donations indirectly either by way of testamentary disposition or deed of trust or otherwise, and to use and expend or direct the using and expending of real or personal property of every kind and description, wherever situated, or the income therefrom;
- (c) except as hereinafter provided, to convert any property at any time and from time to time received and held by or on behalf of the Foundation into any other form and for that purpose to sell or cause and authorize the property to be sold, assigned, transferred, leased, exchanged or otherwise disposed of;
- (d) to pass on and entrust to one or more trust companies the custody and management of all or any part of the property at any time and from time to time received or held by the Foundation in such manner and in such proportions as the Board deems proper, and to enter into agreements with such trust companies with respect thereto;
- (e) to direct any trust company to manage and administer as a single fund and in such manner as the Board deems advisable any one or more donations held by such trust company for the purposes of the Foundation under any testamentary document or deed of trust or otherwise;
- (f) to lease any lands at any time held by the Foundation;
- (g) to pay and apply the net income in each year from all funds held directly or indirectly by it towards such charitable purposes within Ontario as it deems advisable;



- (h) to pay, apply and distribute such portions as it deems advisable of the capital of the funds held directly or indirectly by it, to and for such charitable purposes within Ontario as it deems advisable, provided that, unless otherwise specifically provided by the donor of any sum or fund, not more than a total of 10 per cent of the balance of the capital of the sum or fund shall be so distributed during any period of four consecutive years, and provided further that no distribution of capital shall be made without the approval of two-thirds of the directors, given in person at a meeting of the Board or, if not present at a meeting, then in writing within the sixty days next after the meeting;
- (i) except as hereinafter provided, to control the management and investment of all its funds, provided that, where a trust company is specifically appointed as trustee of any fund by any testamentary document or deed of trust or otherwise, such trust company shall have the physical custody of such fund and, subject to the specific terms of any such document, shall invest and reinvest the same within the general policy of investment laid down by the Board, and provided further that the custody of all securities and the accounting therefor may be entrusted by the Board to one or more trust companies, and thereupon any such trust company shall invest and reinvest the same within the general policy of investment laid down by the Board;
- (j) to direct the investment of all its funds, which are to be invested by the Foundation or by any trust company or other trustee, in investments authorized for the investment of funds of life insurance companies in Canada, provided that the Board may authorize and direct the retention of any specific assets donated or bequeathed to the Foundation by any testamentary document or deed of trust or otherwise for such length of time as the Board in its sole discretion deems advisable, notwithstanding that it does not consist of assets in which the Foundation is authorized to invest by this Act, and the Foundation and the members of the Board shall under no circumstances be liable, nor shall any trust company or other trustee acting on the instructions of the Board be liable, for any loss or damage that may be suffered by reason of the retention of any such assets as aforesaid or the investment of any such moneys in accordance with the power and authority given in this clause;

(k)



- (k) to employ such person or persons, including trust companies, and to take such other action as it deems advisable for the more efficient carrying out of the purposes of the Foundation, and such employees may be paid such reasonable compensation out of, and the Board may charge the expenses of any such other action to, the income or capital, or both, of the funds of the Foundation as the Board deems advisable;
- (l) to set aside, or in its discretion to refrain from setting aside, any part of the income received by it from securities taken or purchased as part of the funds of the Foundation at a premium, as a sinking fund to retire or amortize such premium, and to determine in its uncontrolled discretion in respect of all funds of the Foundation what shall be treated as income and what shall be treated as capital as to each respective transaction therein and to charge or apportion any losses or expenses to capital or income as it deems best;
- (m) to compromise, compound and adjust claims in favour of or against the property held or intended to be held by it, upon such terms and conditions as it deems just, expedient and proper.

Donations  
for specific  
purposes

7.—(1) The Foundation may accept donations either directly or indirectly subject to the conditions that the income or capital or both thereof shall be paid and applied to a specific charitable purpose, either for a specific or an indefinite period of time.

Idem

(2) Subsection 1 applies only if the donation is also subject to the condition that, after the expiration of a period of time referred to or at any time, there shall be a discretionary power vested in the Board to pay or apply the income or capital of the donation to some other charitable purpose or that, if the Board is satisfied that conditions are such as to render it impractical or inefficient to expend all or any part of such moneys for such specific purpose, then, upon the approval of two-thirds of the members of the Board given either at a meeting or in writing within sixty days next after the meeting and within the limits of the discretionary power, all or any part of such moneys may be paid and applied to such other charitable purposes as the Board deems advisable.

Idem

(3) If any such donation is made subject to the condition that the income or capital or both shall be paid and applied to a specific charitable organization for a specific period of

time

time and if such specific charitable organization ceases to exist within the specific period of time, then for the balance of the period the income or capital or both shall be applied to such other charitable purpose as is directed by a judge of the Supreme Court in accordance with the laws in force from time to time in Ontario.

**8.** Any form of words is sufficient to constitute a donation <sup>Form of words</sup> for the purposes of this Act so long as the donor indicates an intention to contribute presently or prospectively to the Foundation.

**9.** The Foundation may accept a donation notwithstanding that some portion of the benefit of the donation is directed to be applied to charitable purposes outside Ontario, if such portion of the benefit of the funds is directed to be applied to charitable purposes within Canada. <sup>Nature of donations</sup>

**10.**—(1) Subject to subsection 2, all donations made <sup>General fund</sup> directly or indirectly to the Foundation may be treated for all purposes as a general fund.

(2) In the case of a donation of \$25,000 or more, the donor <sup>Separate funds</sup> may require that such donation be maintained as a separate fund, in which case in each year thereafter a separate accounting thereof shall be set out in the annual audited report.

**11.**—(1) Unless otherwise directed by testamentary document or deed of trust or otherwise, all donations shall be publicly acknowledged, in the year following that in which they are made, by being set out in the annual audited report. <sup>Acknowledgements</sup>

(2) Unless otherwise directed by testamentary document <sup>Idem</sup> or deed of trust or otherwise, donations from any one person shall be publicly acknowledged in every year following their receipt by being set out in the annual audited report, provided that, if one person makes more than one donation, then only the total of that person's donations, as they may be from time to time, need be shown.

**12.**—(1) The Foundation shall cause an audit to be made <sup>Audit</sup> at least once in every fiscal year, by an independent auditor who shall be a chartered accountant, of the books and records of the Foundation.

(2) The audit shall include an examination of all assets <sup>Idem</sup> held by the Foundation or any trust company on its behalf, or held by any trustee in trust for the Foundation, and, notwithstanding that any such funds may be held by a trustee

pursuant to the provisions of a testamentary document or deed of trust, such trustee shall give an accounting thereof to the auditor of the Foundation each year.

Publication  
of statement

(3) The Foundation shall cause to be published in a newspaper having general circulation in the City of Ottawa a certified statement by the auditor setting out the receipts and disbursements and capital assets of the Foundation or held in trust for the Foundation.

Contents of  
statement

(4) The statement shall show separately the receipts and disbursements and capital assets of any fund which is held separately, but with respect to other assets may show the same as a general fund.

Idem

(5) The statement shall set out in detail the purposes for which the income has been used and the expenses of the Foundation, all in accordance with good accounting practice.

Information  
and  
inspection

(6) The Board and any trust company or other trustee holding funds in trust for the Foundation shall give full information and permit all necessary inspection to enable such audit to be made.

Application  
of  
R.S.O. 1960,  
c. 52

(7) The Foundation shall be subject in all respects to *The Charities Accounting Act*.

Limitation  
of powers

**13.** Any power conferred on the Foundation by this Act shall not be exercised in respect of any donation in contravention of any express provision to the contrary in the document of trust governing such donation.

Commence-  
ment

**14.** This Act comes into force on the day it receives Royal Assent.

Short title

**15.** This Act may be cited as *The Community Foundation of Ottawa and District Act, 1968*.

## CHAPTER 151

**An Act respecting the City of Eastview**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Eastview <sup>Preamble</sup>  
by its petition has prayed for special legislation in  
respect of the matters hereinafter set forth; and whereas  
it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** The Corporation of the City of Eastview is hereby <sup>Change  
of name</sup>  
continued under the name of The Corporation of the City  
of Vanier, in the English language, and La Corporation de la  
Cité de Vanier, in the French language.

**2.** Any reference to The Corporation of the City of East- <sup>Reference  
to former  
name</sup>  
view in any document, by-law, Act or regulation entered  
into, made or passed before this Act comes into force shall be  
deemed to be a reference to The Corporation of the City of  
Vanier or La Corporation de la Cité de Vanier.

**3.** This Act comes into force on the 1st day of January, <sup>Commence-  
ment</sup>  
1969.

**4.** This Act may be cited as *The Corporation of the City of* <sup>Short title</sup>  
*Eastview Act, 1968.*





## CHAPTER 152

## An Act respecting the City of Hamilton

*Assented to April 11th, 1968*  
*Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Hamilton Preamble  
by its petition has prayed for special legislation in  
respect of the matters hereinafter set forth; and whereas  
it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.—**(1) Section 2 of *The City of Hamilton Act, 1966* is 1966,  
c. 171, s. 2,  
amended  
amended by adding thereto the following subsection:

(1a) For the purposes of subsection 1, "residential real Condo-  
minium  
property or part thereof" includes residential real  
property of an owner under *The Condominium Act, 1967*, c. 12  
1967.

(2) The said section 2 is further amended by adding thereto 1966,  
c. 171, s. 2,  
amended  
the following subsections:

(3) For the purposes of subsections 4, 5 and 6, "co-"Co-op-  
erative  
corporation"  
defined  
operative corporation" means a corporation incor-  
porated under the laws of Canada or of a province  
of Canada as a corporation for the sole purpose of  
providing residential units to all members or share-  
holders.

(4) Any person who,

**Certificate**

(a) is a member or shareholder of a co-operative  
corporation; and

(b) occupies or whose husband or wife, or both,  
occupy a residential unit in the premises  
owned by the co-operative corporation as  
his, her or their personal residence; and

(c)

- (c) would be entitled to a tax credit under subsection 1 if that person, or the husband or wife of that person, or both, owned and occupied residential real property as his, her or their personal residence,

may apply for a like tax credit and the city clerk may issue to the person so applying a certificate setting out the amount of the tax credit as determined under subsection 1.

Tax credit  
to co-op-  
erative  
corporation

(5) Where a co-operative corporation,

- (a) produces to the city clerk, on or before the 31st day of March in any year, a certificate issued under subsection 4 to a member or shareholder of the co-operative corporation in respect of that year; and
- (b) satisfies the city clerk that the benefit of the tax credit in the amount set out in the certificate is received by the person or persons named in the certificate,

the treasurer of the Corporation may allow a credit therefor on the tax payable by the co-operative corporation in that year.

Information

- (6) Every co-operative corporation to whom the treasurer of the Corporation may allow a tax credit under this section shall make available to the city clerk any information the city clerk requires for the purposes of this section.

Application  
in 1968  
1966, c. 171

**2.** For the purposes of subsections 4 and 5 of section 2 of *The City of Hamilton Act, 1966*, as enacted by subsection 2 of section 1 of this Act,

- (a) the time for making an application under subsection 4 of the said section 2 in the year 1968 is extended to thirty days after this Act comes into force; and
- (b) the time for the production of a certificate under subsection 5 of the said section 2 in the year 1968 is extended to sixty days after this Act comes into force.

Vesting  
of lands

**3.—**(1) The lands outlined in red on Plan No. SS-679 Survey registered in the Registry Office for the Registry Division for the County of Wentworth on the 30th day of July, 1965, as Instrument No. 322436HL, more particularly

described

described in the Schedule hereto, shall be deemed to have vested in The Corporation of the City of Hamilton on the 30th day of July, 1965, under section 4 of *The Expropriation Procedures Act, 1962-63*.<sup>1962-63, c. 43</sup>

(2) The compensation in respect of the lands in the City of Hamilton known as Lot 27 in the block bounded by King, Bay, Main and Park Streets according to P.H. Hamilton's Survey may, at the option of the registered owner as defined in *The Expropriation Procedures Act, 1962-63*, be assessed as of the date this Act comes into force.<sup>Compensation re Lot 27</sup>

4. This Act comes into force on the day it receives Royal Assent.<sup>Commencement</sup>

5. This Act may be cited as *The City of Hamilton Act, 1968*.<sup>Short title</sup>

## SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the County of Wentworth and Province of Ontario and being composed of all of Lots 11, 12, 13, 14, 15, 16, 17, 26, 27, 28, 29, 30, 31, 32, 33, 34 and lots lettered 'A' and 'B' in the block bounded by King, Bay, Main and Park Streets according to P. H. Hamilton's Survey.

## CHAPTER 153

**An Act respecting  
Imperial Sewing Machine Company Limited  
and Imperial Sewing Machine Company  
(Kitchener) Limited**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS Abraham Martin, Ruth Martin and Howard Preamble  
Martin by their petition have represented that Imperial  
Sewing Machine Company Limited and Imperial Sewing  
Machine Company (Kitchener) Limited, herein called the  
Corporations, were incorporated by letters patent dated the  
13th day of November, 1951, in the case of Imperial Sewing  
Machine Company Limited, and by letters patent dated the  
23rd day of September, 1952, in the case of Imperial Sewing  
Machine Company (Kitchener) Limited; that the Provincial  
Secretary by Order made under the authority of subsection 2  
of section 326 of *The Corporations Act* cancelled the letters R.S.O. 1960,  
c. 71  
patent of the Corporations and declared them to be dissolved  
on the 14th day of April, 1966, in the case of Imperial Sewing  
Machine Company Limited and on the 1st day of July, 1965,  
in the case of Imperial Sewing Machine Company (Kitchener)  
Limited; that the petitioners were all the directors and the  
holders of all the common shares of the Corporations at the  
time of the said dissolution; that the notice of default in  
filing annual returns required by the said subsection 2 of  
section 326 of *The Corporations Act*, although sent to each  
of the petitioners as directors, was not received by any of  
them, and none of them was aware of the dissolution of the  
Corporations until more than one year after the date thereof;  
that the Corporations at the time of their respective dissolu-  
tions were carrying on active commercial businesses; and  
whereas the petitioners have prayed for special legislation  
reviving the Corporations; and whereas it is expedient to grant  
the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** Imperial Sewing Machine Company Limited incor-  
porated by letters patent dated the 13th day of November, Imperial  
Sewing  
Machine  
Co. Ltd.  
revived



1951, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Imperial  
Sewing  
Machine  
Co.  
(Kitchener)  
Ltd. revived

**2.** Imperial Sewing Machine Company (Kitchener) Limited incorporated by letters patent dated the 23rd day of September, 1952, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Imperial Sewing Machine Company Limited and Imperial Sewing Machine Company (Kitchener) Limited Act, 1968*.

## CHAPTER 154

## An Act respecting Janbi Holdings Limited

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS Bessie E. Hallatt, Jack Sydney Midanik, <sup>Preamble</sup>  
Theodore I. Sherman and Walter Bick by their petition  
have represented that Janbi Holdings Limited, herein called  
the Corporation, was incorporated by letters patent dated  
the 18th day of June, 1963; that the Provincial Secretary,  
by order dated the 12th day of December, 1967 and made  
under the authority of section 327 of *The Corporations Act*, <sup>R.S.O. 1960,  
cc. 71, 73</sup>  
accepted the surrender of the charter of the Corporation and  
declared that the Corporation be dissolved on the 26th day  
of February, 1968; that the petitioners were all the directors  
of the Corporation and represented the holders of all of the  
common shares of the Corporation at the time of the accept-  
ance of the surrender of the charter of the Corporation; that  
subsequent to the making of the said order by the Provincial  
Secretary assessments were made against the Corporation for  
corporation tax under *The Corporations Tax Act*; that the  
petitioners desire that any liability for tax be determined on  
the merits; and whereas the petitioners have prayed for  
special legislation reviving the Corporation; and whereas it  
is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1.—(1) Janbi Holdings Limited, incorporated by letters <sup>Revival</sup>  
patent dated the 18th day of June, 1963, is hereby revived and  
is, subject to any rights acquired by any person after its dis-  
solution, hereby restored to its legal position as a company  
incorporated by letters patent including all its property,  
rights, privileges and franchises and subject to all its liabil-  
ities, contracts, disabilities and debts as at the date fixed in  
the said order for its dissolution, and declared to be a sub-  
sisting corporation since its incorporation in the same manner  
and to the same extent as if it had not been dissolved.

(2) This Act does not affect any liability to which the <sup>Liability of  
shareholders</sup>  
persons who were shareholders of Janbi Holdings Limited  
at the time of its dissolution would be subject if this Act  
had not been passed.

Change of  
name

**2.** The name of the Corporation is changed to J. W. T. B. Holdings Limited.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The J. W. T. B. Holdings Limited Act, 1968*.

## CHAPTER 155

## An Act respecting the City of Kitchener

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Kitchener, <sup>Preamble</sup> herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) The Corporation has the power to acquire all or <sup>Acquisition of lands</sup> any of the lands described in Schedule A.

(2) The agreement dated the 15th day of November, <sup>Agreement authorized</sup> 1967, between the Corporation and the Conestoga College of Applied Arts and Technology, set out in Schedule B, is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

**2.**—(1) For the purpose of paying part of the cost of <sup>Debentures authorized</sup> acquiring the lands referred to in subsection 1 of section 1, the council of the Corporation is authorized to pass a by-law authorizing the borrowing of not more than \$200,000 by the issue and sale of debentures without obtaining the approval of the Ontario Municipal Board or the assent of the electors of the City of Kitchener or of those electors entitled to vote on money by-laws.

(2) Any debentures issued pursuant to subsection 1 of this <sup>Repayment</sup> section shall be repayable in not more than fifteen years on the instalment plan and shall bear interest at such rate as council determines.

(3) Sections 55, 56 and 57 of *The Ontario Municipal Board Act* apply in respect of such by-law and debentures. <sup>Applica-  
tion of  
R.S.O. 1960,  
c. 274,  
ss. 55-57</sup>

Applica-  
tion of  
R.S.O. 1960,  
c. 249

3.—(1) Until and unless otherwise ordered by the Ontario Municipal Board, section 201 of *The Municipal Act* does not apply to the City of Kitchener.

Idem

(2) Upon the application of the Corporation or upon a petition in writing signed by not fewer than ten electors of the City of Kitchener qualified to vote on money by-laws, the Ontario Municipal Board may make an order that section 201 of *The Municipal Act* shall apply to the City.

Interpre-  
tation

4.—(1) In this section, “special sale” means any sale or intended sale at retail described by the use of any of the following words or expressions, or any enlargement, contraction or combination thereof:

bankrupt	moving out	fire
insolvent	selling out	smoke
trustee	lease expiring	water damage
receiver	closing out	creditor
liquidation	discontinuing	forced

or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in a manner that is not in the ordinary course of retail business.

By-laws  
regulating  
special sales

(2) The council of the Corporation may pass by-laws,

- (a) for licensing and regulating special sales of goods and persons conducting such sales, and for prohibiting special sales of goods without a licence;
- (b) prescribing the conditions on which licences may be issued and revoked, and providing for the revocation of such licences;
- (c) fixing a fee for such licences; and
- (d) for appointing inspectors and providing for the inspection of such goods.

Exemptions

(3) A by-law under this section does not apply to a sale by or under the authority of,

R.S.C. 1952,  
cc. 14, 296

- (a) a receiver or trustee under the *Bankruptcy Act* (Canada) or a liquidator under the *Winding-up Act* (Canada);

(b)



- (b) a court or a receiver appointed by a court;
- (c) a bailiff, sheriff, executor or administrator; or
- (d) a receiver, liquidator or trustee under any general or special Act.

(4) The provisions of Part XXI of *The Municipal Act* <sup>Enforce-ment</sup> apply *mutatis mutandis* to any by-law passed under this <sup>R.S.O. 1960, c. 249</sup> section.

5.—(1) The council of the Corporation may pass by-laws <sup>Deposit re damages to sidewalks, etc., upon issue of building permit</sup> for regulating the crossing of curb-lines, sidewalks or paved boulevards by vehicles delivering materials to or removing materials from abutting lands on which any building is being erected, altered, repaired or demolished, and for requiring the owners of such abutting lands, upon any application for the issuing of a permit certifying to the approval of plans of buildings to be erected, altered, repaired or demolished thereon, to pay to the Corporation a sum of money not to exceed \$5 per foot of the limit of the lot abutting directly on such sidewalk, curbing or paved boulevard as a deposit to meet the cost of repairing any damage to the sidewalk, curbing or paved boulevard or to any water service box or other service therein caused by the crossing thereof by such vehicles.

(2) Where a by-law passed under this section requires the <sup>Refund</sup> payment of a deposit to cover the cost of damage to a sidewalk, curbing or paved boulevard, or to any water service box or other service therein, the by-law shall provide that, upon the completion of the erection, alteration, repair or demolition of the building or buildings on the lands abutting such sidewalk, curbing or paved boulevard and upon application by the person by whom the deposit was paid, the amount by which the sum deposited exceeds the cost of such repairs shall forthwith be refunded.

(3) Where any moneys heretofore or hereafter paid to the Corporation to cover the cost of repairs to curbings, sidewalks or paved boulevards or to any water service box or other service therein remain unclaimed in the hands of the Treasurer of the Corporation for a period of six years, the Treasurer of the Corporation may insert in any newspaper having general circulation in the City of Kitchener a notice containing a list of such unclaimed moneys and stating that all persons having any claim to any of such moneys are required to prove their claims within ninety days from the publication of the notice, and, upon the expiration of ninety days from the publication of such notice, the Treasurer of

the Corporation may transfer all of such moneys against which no claim has been made to the general funds of the Corporation free of and from any and all claims of any kind whatsoever.

**Cost of  
prevention**

(4) Without limiting the generality of subsection 1, a by-law passed under this section may require that the owner or occupier of the lands take all necessary steps to prevent building material, waste or soil from being spilled or tracked onto the public streets by vehicles going to or coming from the lands during the course of the erection, alteration, repair or demolition and may provide that, in addition to any penalty otherwise provided by law, the owner or occupier shall be responsible to the Corporation for the cost of removing such, and such cost may be deducted from the deposit.

**Grant**

**6.** The council of the Corporation may by by-law provide for the granting of the sum of \$6,000 to Minnie Anne Lauten-slager.

**Commence-  
ment**

**7.—(1)** This Act, except subsection 1 of section 1, comes into force on the day it receives Royal Assent.

**Idem**

(2) Subsection 1 of section 1 shall be deemed to have come into force on the 1st day of January, 1967.

**Short title**

**8.** This Act may be cited as *The City of Kitchener Act, 1968*.

## SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being:

*Firstly:*

In the City of Kitchener, formerly in the Township of Waterloo, in the County of Waterloo and Province of Ontario, and being composed of parts of lots 10 and 11, Beasley's Old Survey, in the Lower Block on the west side of the Grand River and which said parcel may be more particularly described as follows:

COMMENCING at the point in the westerly limit of the Grand River where it is intersected by the northerly limit of the lands of the Ontario Department of Highways according to Deposited Plan No. 339;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the northerly limit of said Highway lands a distance of three thousand, one hundred and fifty-five feet and seven one-hundredths of a foot (3155.07), more or less, to an angle on same;

THENCE South eighty (80) degrees twenty-two (22) minutes thirty (30) seconds West a distance of eighty-eight feet and seventy-one one-hundredths of a foot (88.71), more or less, to an angle in said limit of Highway;

THENCE North seventy-two (72) degrees seven (07) minutes thirty (30) seconds West a distance of two hundred and forty-three feet and twenty-three one-hundredths of a foot (243.23), more or less, to an angle in said limit of Highway;

THENCE North eighty-three (83) degrees forty-two (42) minutes thirty (30) seconds West a distance of two hundred and eighty-one feet and fifty-nine one-hundredths of a foot (281.59), more or less, to the easterly limit of County Road No. 14;

THENCE South thirty-nine (39) degrees four (04) minutes East along the last-mentioned limit a distance of four hundred and thirty-three feet and ninety-three one-hundredths of a foot (433.93), more or less, to a point in the production easterly of the northerly limit of the lands of the Ontario Department of Highways according to Deposited Plan No. 343;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the said production easterly and along the northerly limit of said Department of Highways lands a distance of five hundred and sixty-two feet and four one-hundredths of a foot (562.04), more or less, to a point of curvature in same;

THENCE on a curve to the left of radius five thousand, eight hundred and seventy-nine feet and fifty-eight one-hundredths of a foot (5879.58) a distance of four hundred and fifty-seven feet and sixty-four one-hundredths of a foot (457.64) to a point (which point is in the southerly limit of the lands described in Registered Instrument Nos. 48440 and 316215 for the Township of Waterloo);

THENCE South seventy-six (76) degrees thirty-eight (38) minutes thirty (30) seconds West along the last-mentioned limit a distance of one thousand, eight hundred and eighty-three feet and ninety one-hundredths of a foot (1883.90) to a point (being in the westerly limit of the said lands described in Registered Instrument Nos. 48440 and 316215);

THENCE North twelve (12) degrees thirty (30) minutes forty (40) seconds West along same, a distance of eight hundred and twenty-nine feet and five-tenths of a foot (829.5), more or less, to the southerly limit of County Road No. 14 as widened by Registered Instrument No. 30665;

THENCE North seventy-six (76) degrees fifty-five (55) minutes thirty (30) seconds East along same, a distance of one thousand, three hundred and thirty-six feet and ninety-two one-hundredths of a foot (1336.92) to a point;

THENCE North thirteen (13) degrees four (4) minutes forty (40) seconds West a distance of sixty-six (66) feet to a point in the westerly limit of the aforementioned lands described in Registered Instrument Nos. 48440 and 316215;

THENCE North four (4) degrees forty-seven (47) minutes fifty (50) seconds West along same, a distance of one thousand, three hundred and seventy (1370) feet, more or less, to the southerly bank of the Grand River;

THENCE easterly, northeasterly and southerly along the southerly and westerly bank of the Grand River and its various meanderings, a distance of six thousand, six hundred and fifty (6650) feet, more or less, to the point of commencement.

CONTAINING by admeasurement an area of 175.54 acres, be the same more or less.

EXCEPTING THEREOUT AND THEREFROM, *firstly*, the County Road leading from Blair to Doon (Waterloo County Road No. 14) crossing a part of the said lands, and, *secondly*, those lands containing 1.41 acres, more or less, expropriated by the Department of Highways by, and as shown on, Deposited Plan No. 612.

*Secondly:*

All that portion of Lot 10, Beasley's Old Survey (Lower Block), and that portion of lots 10 and 11, Beasley's Old Survey (Lower Block), in the Township of Waterloo, in the County of Waterloo, in the Province of Ontario, having a total area of 47.231 acres, more or less, shown marked yellow on D.H.O. Plan of Survey P-3092-113, and more particularly described as follows:—

Premising that all bearings herein are astronomic and are referred to the meridian through the southeast corner of Lot 6, Concession 4, Beasley's Lower Block, in longitude eighty (80) degrees nineteen (19) minutes West.

*Portion "A"*—being part of Lot 10, having an area of 7.621 acres:

COMMENCING at the intersection, marked by a monument, of a line drawn parallel to and distant one hundred and fifty (150) feet measured southeasterly and perpendicularly from the centre line of construction of the King's Highway as shown on a Plan deposited in the Registry Office for the Registry Division of the County of Waterloo as No. 339, with a line drawn parallel to and distant eighty (80) feet measured northeasterly and perpendicularly from the northeasterly limit of the Old Huron Road as shown on Deposited Plan No. 339, and which said point of intersection may be located by starting at the intersection of the westerly limit of Lot 11 with the north limit of Old Huron Road; thence North seventy-six (76) degrees fifty-three (53) minutes thirty (30) seconds East along the said north limit three thousand and twelve and eight-tenths of a foot (3012.8) to the said northeasterly limit of Old Huron Road; thence South thirty-nine (39) degrees four (4) minutes East along the said northeasterly limit seven hundred and ninety-three and nine one-hundredths (793.09) feet to the said line drawn parallel to the centre line of construction of the King's Highway; thence North fifty-two (52) degrees fifty-three (53) minutes East along the said parallel line eighty feet and five one-hundredths of a foot (80.05) to the point of commencement.

THENCE North fifty-two (52) degrees fifty-three (53) minutes East along the last-mentioned parallel line, five hundred and twelve and eighty one-hundredths of a foot (512.80), more or less, to a monument;

THENCE North fifty-two (52) degrees fifty-three (53) minutes East continuing along the last-mentioned parallel line four hundred (400) feet, more or less, to a monument;

THENCE



THENCE North fifty-two (52) degrees fifty-three (53) minutes East continuing along the last-mentioned parallel line, one hundred and forty-two feet and sixty-one one-hundredths of a foot (142.61) to the westerly limit of the lands described in Registered Instrument No. 317986;

THENCE South twenty (20) degrees fifty-eight (58) minutes East along the westerly limit of the lands in Registered Instrument No. 317986 a distance of six hundred and eighteen feet and ninety-seven one-hundredths of a foot (618.97);

THENCE South seventy-seven (77) degrees one (1) minute thirty (30) seconds West four hundred and forty-nine feet and forty-six one-hundredths of a foot (449.46) to a point;

THENCE North nineteen (19) degrees nine (9) minutes thirty (30) seconds West two hundred and nine feet and seventy-one one-hundredths (209.71) of a foot to a point;

THENCE South seventy-seven (77) degrees seven (7) minutes thirty (30) seconds West two hundred and ninety feet and eighty one-hundredths of a foot (290.80) to a point;

THENCE South twelve (12) degrees thirty-three (33) minutes East one hundred and seventy-two feet and two one-hundredths of a foot (172.02) to a point;

THENCE South seventy-one (71) degrees fifty-five (55) minutes thirty (30) seconds West two hundred and six feet and twenty one-hundredths of a foot (206.20), more or less, to a monument in the said line drawn parallel to the northeasterly limit of Old Huron Road;

THENCE North thirty-nine (39) degrees four (4) minutes West along the last-mentioned parallel line one hundred and eighty-one feet and twelve one-hundredths of a foot (181.12), more or less, to the point of commencement.

*Portion "B"*—being part of lots 10 and 11, having an area of 39.610 acres:

COMMENCING at the intersection of the easterly limit of the lands described in Registered Instrument No. 317986 with a line drawn parallel to and distant one hundred and fifty (150) feet measured southeasterly and perpendicularly from the centre line of construction of the King's Highway as shown on a plan deposited in the Registry Office for the Registry Division of the County of Waterloo as No. 339, and which said point of intersection may be located by starting at the intersection of the westerly limit of Lot 11, with the north limit of Old Huron Road; thence North seventy-six (76) degrees fifty-three (53) minutes thirty (30) seconds East along the said north limit three thousand and twelve feet and eight-tenths of a foot (3012.8) to the northeasterly limit of Old Huron Road; thence South thirty-nine (39) degrees four (4) minutes East along the said northeasterly limit seven hundred and ninety-three feet and nine-tenths of a foot (793.90) to the said parallel line; thence North fifty-two (52) degrees fifty-three (53) minutes East along the said parallel line one thousand, two hundred and thirty-nine feet and fifty-seven one-hundredths of a foot (1239.57) to the point of commencement;

THENCE South twenty (20) degrees fifty-eight (58) minutes East along the easterly limit of the lands described in Registered Instrument No. 317986 a distance of six hundred and fifty-eight feet and twenty-one one-hundredths of a foot (658.21) to the southerly limit of the lands described in Registered Instrument Nos. 48440 and 316215;

THENCE North seventy-eight (78) degrees thirty-eight (38) minutes East nine hundred and seventy-nine feet and seventy one-hundredths of a foot (979.70) to a point;

THENCE North seventy-eight (78) degrees thirty-eight (38) minutes East two hundred and fifty feet (250), more or less, to the highwater mark on the westerly bank of the Grand River;



THENCE northerly along the said highwater mark one thousand, six hundred and fifty-five (1655) feet, more or less, to its intersection with the aforesaid parallel line;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the said parallel line fifty-nine (59) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line four hundred (400) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line five hundred (500) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line four hundred (400) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West along the said parallel line five hundred (500) feet, more or less, to a monument;

THENCE South fifty-two (52) degrees fifty-three (53) minutes West continuing along the said parallel line one hundred and fifty-three feet and twenty-eight one-hundredths of a foot (153.28), more or less, to the point of commencement.

*Thirdly:*

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being formerly in the Township of Waterloo, now in the City of Kitchener, in the County of Waterloo and in the Province of Ontario, having an area of 63.616 acres and being composed of a part of Biehn's Unnumbered Tract and a part of Lot No. 10 in Richard Beasley's Old Survey, all in the said Township of Waterloo, and being more particularly described as follows:

COMMENCING at a point in the interior of the said Lot No. 10, which said point may be located as follows: BEGINNING at the southwest angle of the said Lot No. 10 in Richard Beasley's Old Survey;

THENCE North seventy-six (76) degrees fifty-seven (57) minutes East along the southern limit of the said lot, a distance of four hundred and twelve feet and seventy-one one-hundredths of a foot (412.71);

THENCE North thirteen (13) degrees thirty-five (35) minutes and thirty (30) seconds West, along the eastern limit of the lands described in Instrument No. 30449, a distance of eighty-eight feet and seventy-five one-hundredths of a foot (88.75) to a point where an iron bar is planted and which said point is the point of commencement;

THENCE North thirteen (13) degrees thirty-five (35) minutes and thirty (30) seconds West, along the eastern limit of the lands described in Instrument No. 30449, a distance of seven hundred and fifty-five feet and twenty-one one-hundredths of a foot (755.21) to a point where a round iron bar is planted;

THENCE North thirteen (13) degrees thirty-seven (37) minutes and thirty (30) seconds West, continuing along the said eastern limit, a distance of eight hundred and thirty feet and eighty-eight one-hundredths of a foot (830.88) to a point where an iron bar is planted in the southern limit of the Kitchener-Doon Road as widened by Instrument No. 30671;

THENCE South seventy-six (76) degrees forty-five (45) minutes West, along the said southern limit, a distance of four hundred and eleven feet and twenty-two one-hundredths of a foot (411.22) to a point where an iron bar is planted;

THENCE South sixty-six (66) degrees thirty-five (35) minutes West, continuing along the said southern limit, a distance of fifteen hundred and forty-two feet and fifty one-hundredths of a foot (1542.50) to a point where an iron bar is planted in the eastern limit of the lands described in Instrument No. 147747;

THENCE South twenty-three (23) degrees twenty-five (25) minutes East, along the said eastern limit and along the eastern limit of the lands described in Instrument No. 48372, a distance of two hundred and twenty-nine feet (229) to a point where an iron bar is planted;

THENCE South sixty-six (66) degrees thirty-three (33) minutes West, along the southern limit of the lands described in Instrument No. 48372, a distance of two hundred and thirty-seven feet and seventy-two one-hundredths of a foot (237.72) to a point where an iron bar is planted in the eastern limit of the public road;

THENCE South four (4) degrees forty-one (41) minutes East, along the said eastern limit, a distance of three hundred and fifty-five feet and thirty-five one-hundredths of a foot (355.35) to a point where a round iron bar is planted in the northern limit of County Road No. 14 as shown on Deposited Plan No. 556;

THENCE South sixty-eight (68) degrees fifty-three (53) minutes and thirty (30) seconds East, along the said northern limit, a distance of thirteen hundred and eighty-six feet and forty-seven one-hundredths of a foot (1386.47) to a point where an iron bar is planted in the western limit of the land of G. M. Good, as described in Instrument No. 322218;

THENCE North twenty-one (21) degrees six (6) minutes and thirty (30) seconds East, along the said eastern limit, a distance of one hundred and fifteen feet and forty-one one-hundredths of a foot (115.41) to a point;

THENCE North seventy-six (76) degrees twenty-four (24) minutes and thirty (30) seconds East, along the northern limit of the said lands, a distance of nine hundred and fifty-two feet and forty-seven one-hundredths of a foot (952.47) to the point of commencement.

*Fourthly:*

Having an area of 32.203 acres and being composed of a part of Lot No. 9 and a part of Lot No. 10 in Richard Beasley's Old Survey and part of Biehn's Unnumbered Tract, all in the said Township of Waterloo, more particularly described as follows:

COMMENCING at the northwest angle of Lot No. 9 in Richard Beasley's Old Survey;

THENCE North seventy-six (76) degrees fifty-seven (57) minutes East along the northern limit of the said lot, a distance of four hundred and twelve feet and seventy-one one-hundredths of a foot (412.71) to a point where a standard iron bar is planted;

THENCE North thirteen (13) degrees thirty-five (35) minutes thirty (30) seconds West a distance of eight hundred and forty-three feet and ninety-six one-hundredths of a foot (843.96) to a point where a round iron bar is planted;

THENCE North seventy-six (76) degrees thirty-eight (38) minutes thirty (30) seconds East, a distance of eighteen hundred and thirty-three feet and five-tenths of a foot (1833.50) to a point where an iron bar is planted in the northwestern limit of the King's Highway No. 401 as shown on Expropriation Plan No. 4;

THENCE southwesterly along the said northwestern limit along a curve to the left having a radius of five thousand, nine hundred and four feet and fifty-eight one-hundredths of a foot (5904.58), an arc distance of fourteen hundred and eleven feet and sixteen one-hundredths of a foot (1411.16), the chord of which has a bearing South forty-one (41) degrees

seven (7) minutes forty-two (42) seconds West and a distance of fourteen hundred and seven feet and eight-tenths of a foot (1407.80) to a point where a standard iron bar is planted;

THENCE South forty-four (44) degrees thirteen (13) minutes thirty (30) seconds West continuing along the said northwestern limit, a distance of two hundred and eighty-one feet and twenty-seven one-hundredths of a foot (281.27);

THENCE South eighty-two (82) degrees twenty (20) minutes thirty (30) seconds West along the northern limit of the said lands, a distance of four hundred and thirty-seven feet and eighty-four one-hundredths of a foot (437.84) to a point where an iron bar is planted;

THENCE South sixty-seven (67) degrees twelve (12) minutes thirty (30) seconds West continuing along the said northern limit, a distance of one hundred and fourteen feet and eleven one-hundredths of a foot (114.11) to a point where an iron bar is planted;

THENCE South forty-five (45) degrees forty-five (45) minutes thirty (30) seconds West along the northwestern limit of the said lands, a distance of three hundred and sixty feet and forty-nine one-hundredths of a foot (360.49) to a point where an iron bar is planted;

THENCE South seventy-four (74) degrees fifty-five (55) minutes West along the northern limit of the lands of the King's Highway No. 401 as shown on Deposited Plan No. 551, a distance of one hundred and forty-one feet and forty-nine one-hundredths of a foot (141.49) to a point where an iron bar is planted;

THENCE North seventy-two (72) degrees twenty-four (24) minutes thirty (30) seconds West along the northern limit of the said lands, a distance of five hundred and forty-three feet and twenty-eight one-hundredths of a foot (543.28) to a point where a round iron bar is planted;

THENCE North seventy-five (75) degrees twenty-eight (28) minutes East, a distance of six hundred and five feet and sixty-two one-hundredths of a foot (605.62) to the point of commencement.

*Fifthly:*

Being composed of a part of Lot No. 10 in Richard Beasley's Old Survey, and a part of Biehn's Unnumbered Tract, all in the said Township of Waterloo, more particularly described as follows:

COMMENCING at the southwest angle of Lot No. 10;

THENCE North seventy-six (76) degrees fifty-seven (57) minutes East along the southern limit of the said lot, a distance of four hundred and twelve feet and seventy-one one-hundredths of a foot (412.71) to a point where a standard iron bar is planted;

THENCE North thirteen (13) degrees thirty-five (35) minutes thirty (30) seconds West, a distance of eighty-eight feet and seventy-five one-hundredths of a foot (88.75) to a point where an iron bar is planted;

THENCE South seventy-six (76) degrees twenty-four (24) minutes thirty (30) seconds West, a distance of nine hundred and fifty-two feet and forty-seven one-hundredths of a foot (952.47) to a point where an iron bar is planted;

THENCE South twenty-one (21) degrees six (6) minutes thirty (30) seconds West, a distance of one hundred and fifteen feet and forty-one one-hundredths of a foot (115.41) to a point where a round iron bar is planted in the northern limit of the King's Highway No. 401 as shown on Deposited Plan No. 551;

THENCE North seventy-five (75) degrees twenty-eight (28) minutes East, a distance of six hundred and five feet and sixty-two one-hundredths of a foot (605.62) to the point of commencement.

SUBJECT to a right-of-way to Richard Harold Slee, personally and for his own use only as long as he owns and farms lands opposite the lands hereinbefore described, being situate on the south side of County Road No. 14, a right-of-way from the said County Road No. 14 to the lands at present owned by him on the north side of said County Road No. 14, and being composed of a part of Biehn's Unnumbered Tract, and which said right-of-way is eighteen feet (18) in perpendicular width east and west of a centre line which is located as follows:

COMMENCING at the northwest angle of Lot No. 9 of Richard Beasley's Old Survey;

THENCE South seventy-six (76) degrees fifty-seven (57) minutes West a distance of four hundred and sixteen feet and sixty-two one-hundredths of a foot (416.62) to a point;

THENCE South twelve (12) degrees fifty-seven (57) minutes West a distance of one hundred feet and seventy-nine one-hundredths of a foot (100.79) to a point in the northerly limit of Deposited Plan No. 551 which said point is the point of commencement to the said centre line;

THENCE North twelve (12) degrees fifty-seven (57) minutes East a distance of two hundred and four feet and ninety-four one-hundredths of a foot (204.94), more or less, to a point in the eastern limit of the lands hereinbefore described.



## SCHEDULE B

THIS INDENTURE made the 15th day of November, 1967.

BETWEEN:

THE CORPORATION OF THE CITY OF KITCHENER,

hereinafter called the Optionor,

OF THE FIRST PART,

— and —

THE CONESTOGA COLLEGE OF APPLIED ARTS AND TECHNOLOGY,

hereinafter called the Optionee,

OF THE SECOND PART.

WITNESSETH that in consideration of the sum of Ten Dollars (\$10.00) now paid by the Optionee to the Optionor (the receipt whereof is hereby acknowledged) the Optionor hereby gives to the Optionee an option, irrevocable within the time limited herein for acceptance, to purchase free from encumbrances the following lands and premises at the prices stipulated therefor and at the time as follows: Approximately one hundred and forty-four (144) acres, being the lands outlined in red, blue and green on Schedule "A" attached hereto, of which forty-eight (48) acres shall, in the event the option is exercised, be conveyed to the Optionee without payment therefor. The price for the lands shall be as hereinafter set forth and the said forty-eight (48) acres shall be allocated as to one-half thereof to the lands referred to herein as the "Golf Club Lands" and as to the other one-half firstly the lands referred to herein as the "Good Lands" and the balance, if any, to the "Slee Lands".

The option shall be open for acceptance up to but not after twelve o'clock noon on the sixtieth (60th) day following the date on which the lands are annexed to the Optionor pursuant to an Order of The Ontario Municipal Board (including the time allowed for appeal) which Order has become final and may be accepted by a letter mailed prepaid registered mail or delivered to the Optionor addressed to The City Co-Ordinator, City Hall, Kitchener. In the event no such Order is made prior to the 1st day of January, 1969, then this option shall become null and void when it is ascertained no such Order will be made on January 1, 1969, whichever first occurs.

The Optionor shall forthwith cause to have prepared a survey of the said lands, including any surveys required for road widenings or closing and any by-laws necessary as a result thereof, at its expense, of the lands herein optioned and cause to have delivered to the Optionee copies thereof as soon as received. It is agreed between the Optionor and the Optionee that the Optionor shall have the right to reserve out of the lands herein being optioned such lands, not to exceed fifty (50) feet in depth, as it deems necessary for the widening of the proposed Homer Watson Boulevard, now being the County road extending along the southerly limit of the said lands, it being understood the Optionee shall pay for the lands herein to be paid for in the event of the exercise of the option on an average basis at the varying prices as herein provided.

In the event of the exercise by the Optionee of the option herein this option, together with the letter of acceptance, shall constitute a contract of purchase and sale and this contract shall be completed thirty (30) days after the Optionor obtains proclamation of a Private Act validating the title of the lands in the City of Kitchener, on which date the

Optionor



Optionor will convey the said lands and premises to the Optionee by a good and sufficient deed therefor in fee simple, free and clear of all encumbrances and dower rights and, as may be applicable, shall deliver vacant possession of the said lands and premises to the Optionee against payment by the Optionee of the purchase price thereof as herein set forth. The Optionee agrees to support the application of the Optionor for such Private Act as requested (other than for the payment of money) and the Optionor agrees as soon as it has title to all the said lands to forthwith apply for such an Act. In the event such an Act is not proclaimed then unless Counsel for the Optionee is prepared to certify title to the said lands the agreement of purchase and sale arising out of this option and its acceptance shall become null and void.

In computing the purchase price for the lands and premises herein optioned, the price per acre therefor shall be as follows:

- (a) As to the lands and premises now or previously owned by one Harold Slee (herein sometimes called the "Slee Lands"), Twenty-Five Hundred Dollars (\$2,500.00) per acre.
- (b) As to the lands and premises previously owned by one Ira Good (herein sometimes called the "Good Lands"), Two Thousand Dollars (\$2,000.00) per acre.
- (c) As to the lands and premises previously owned by Arnold Elmslie and known as Doon Valley Golf Club (herein sometimes called the "Golf Club Lands"), Seventeen Hundred Dollars (\$1,700.00) per acre.

The Optionor further agrees that (a) subject to the order of the Ontario Municipal Board annexing the lands to the City of Kitchener as herein provided, and (b) subject to obtaining a Private Act validating the title to the lands or the opinion of Counsel for the Optionee as herein provided, in the event of the exercise of the within option the said Optionor shall extend and bring into operation municipal services (sewer and water) to the border of the lands acquired by the Optionee pursuant to the terms of this option or construct additional temporary services to meet the needs of the College facilities eighteen (18) months from the date of annexation or the 1st day of September, 1969, whichever date shall be the later, at no expense to the Optionee. The Optionor agrees to diligently prosecute its application for annexation with the intent that such application shall be heard prior to the 1st day of January, 1968, if possible.

Provided that neither the acceptance of this option to purchase nor the payment of any moneys as herein provided for shall bind the Optionee to pay any other instalment but it shall always be at liberty to cancel and rescind the contract by forfeiting the payments already made in respect thereof and upon such cancellation it shall not be in any way liable or responsible for any further payments or for any damages for failure to carry out the contract.

Provided that if the Optionee fails or neglects to comply with the stipulations or provisos herein, or any of them, the Optionor may, at its option, rescind the contract on ten (10) days' notice to be given by a letter delivered to the Optionee at 30 Francis Street South, Kitchener, and upon the expiry of the time limited by the said notice the Optionor may forthwith repossess itself of the said lands and premises.

In the event that such option is not accepted in the manner aforesaid this agreement and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the Optionor shall be entitled to retain the said sum given as consideration for the granting of this option.

The Optionee shall search the title at its own expense and shall have fifteen (15) days from the date of acceptance of the option to examine it and shall then be deemed to have accepted the title as to any written objections made within that period of time. If any objection be made within that time the Optionor shall have a reasonable time to remove it

but

but if it be unable or unwilling to do so it may, notwithstanding any intermediate correspondence, cancel the contract and return the deposit and shall not be liable to the Optionee for any expenses incurred by it.

In the event of any delay in the Optionor fulfilling any of its obligations hereunder the Optionee shall have the right to extend the time or times, as the case may be, for the doing of any act or the taking of any proceedings hereunder and from time to time and for such period of time as the Optionee may in its sole discretion deem necessary or advisable. The Optionee shall notify the Optionor by letter addressed to the Optionor in the same manner as is herein provided for an acceptance of the option any time prior to the time limited herein which the Optionee by such notice may desire to extend or postpone.

The Optionor, insofar as it may be legally permitted so to do, hereby grants to the Optionee the right and privilege of entering into possession of the lands and premises herein optioned any time after the execution of this option of the lands, subject only to the rights of one Harold Slee and the Victoria and Grey Trust Company under their agreement with the Optionor, for the purposes of erecting temporary buildings, installing septic tanks and necessary tile beds, and drilling wells for water as the Optionee considers necessary and advisable for its development of the lands herein optioned provided, however, that the Optionee shall do so at the sole risk of the Optionee as to title and in the event the purchase and sale of the lands optioned is not completed for any reason the Optionee shall remove any buildings and structures which it has constructed or placed on the lands and so far as practical restore the lands to a reasonable condition at its expense but shall not otherwise be liable to the Optionor for any other claim or demands of any kind. Any action taken by the Optionee pursuant to the rights and privileges granted in this paragraph shall be done without prejudice to any other rights and obligations of the Optionor and Optionee hereunder.

Notwithstanding anything herein contained it is understood and agreed that in view of the relationship that exists between the Board of Governors of the Optionee and the Ontario Council of Regents for the Colleges of Applied Art and Technology, this agreement is subject to confirmation by the Council of Regents.

Time shall be of the essence of this agreement.

This agreement shall enure to the benefit of and be binding upon the Parties hereto, their respective successors and assigns.

IN WITNESS WHEREOF the corporate seal of the Optionor has been hereunto affixed under the hands of its Mayor and Clerk and the corporate seal of the Optionee has been hereunto affixed under the hands of its duly authorized officers in that behalf.

[Executed by the Parties to the Agreement]

## CHAPTER 156

**An Act respecting  
Lake of the Woods District Hospital**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS the Board of Directors of Kenora General Hospital and the Board of Directors of St. Joseph Hospital, Kenora, by their joint petition have represented that, pursuant to the provisions of *An Act respecting the Town of Kenora*, being chapter 104 of the Statutes of Ontario, 1929 and *An Act respecting the Town of Kenora*, being chapter 102 of the Statutes of Ontario, 1931, the Kenora General Hospital is a corporate entity and as such owns and operates a public hospital; and whereas the St. Joseph Hospital, Kenora, is a public hospital owned and operated by La Communauté des Soeurs de Charite de la Providence under the direction of the Board of Directors of St. Joseph Hospital, Kenora; and whereas the petitioners deem it desirable to merge certain assets of Kenora General Hospital and St. Joseph Hospital, Kenora, and to entrust ownership, general management, operation and maintenance of both hospitals to a corporation to be created and to be known as "Lake of the Woods District Hospital"; and whereas the petitioners have prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; and whereas La Communauté des Soeurs de Charite de la Providence has consented and concurred herein;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpre-  
tation

- (a) "Board" means The Board of Directors of Lake of the Woods District Hospital;
- (b) "Corporation" means Lake of the Woods District Hospital.

Board of  
Directors

**2.**—(1) There shall be a Board to be known as “The Board of Directors of Lake of the Woods District Hospital”, which shall manage and administer Lake of the Woods District Hospital.

Composi-  
tion

(2) The Board shall consist of,

- (a) twelve directors elected in accordance with section 3;
- (b) four directors appointed in accordance with section 4; and
- (c) such medical representation, not exceeding seven, as is required by *The Public Hospitals Act*.

R.S.O. 1960,  
c. 322

Elected  
members

**3.**—(1) Subject to subsection 5, of the twelve directors to be elected,

- (a) eight shall be elected by the electors of the Town of Kenora;
- (b) two shall be elected by the electors of the Town of Keewatin;
- (c) two shall be elected by the electors of the Township of Jaffray-Melick.

## Voters

(2) Every person entitled to vote at municipal elections is entitled to vote at the election of directors in each municipality.

## Elections

(3) The directors in each municipality shall be elected by ballot and the nominations and elections shall be held at the same times and places as and by the same returning officers and conducted in the same manner as municipal nominations and elections of aldermen or councillors in each municipality, and the provisions of *The Municipal Act* respecting the time and manner of holding the elections including the mode of receiving nominations for office and the resignation of persons nominated apply *mutatis mutandis* to the election.

R.S.O. 1960,  
c. 249

## Ballots

(4) A separate set of ballot papers shall be prepared by the clerk of each municipality containing the names of the candidates in the same form *mutatis mutandis* as those used for aldermen or councillors.

Interim  
Board

(5) The twelve directors required to be elected shall, until the next municipal elections are held in the towns of Kenora and Keewatin and the Township of Jaffray-Melick, consist



of six directors appointed by the Board of Directors of Kenora General Hospital and six directors appointed by the Board of Directors of St. Joseph Hospital.

(6) Of the twelve directors elected at the first election held after this Act comes into force, the one half of the directors elected in each municipality with the largest number of votes shall hold office for a two-year term and the remaining half shall hold office for a term of one year, and thereafter each director elected holds office for a term of two years.

4. Of the four directors to be appointed, Appoint-  
ments

- (a) one shall be appointed annually by resolution of the council of the Town of Kenora and shall be a member of the council or the mayor;
- (b) one shall be appointed annually by resolution of the council of the Town of Keewatin, and shall be a member of the council or the mayor;
- (c) one shall be appointed annually by resolution of the council of the Township of Jaffray-Melick and shall be a member of the council or the reeve;
- (d) one shall be appointed annually by the President of the Ladies' Auxiliary of Lake of the Woods District Hospital and shall be a member of the said auxiliary.

5. Where a vacancy occurs from any cause in the Board, Vacancies a majority of the remaining directors shall, at the first regular meeting after the vacancy occurs, elect some qualified person to fill the vacancy, and the person so elected shall hold office for the remainder of the term for which his predecessor was elected, and, in the case of equality of votes, the chairman of the meeting has a second or casting vote.

6.—(1) No person is eligible for election or appointment Eligibility to the Board who is,

- (a) a member of the medical staff of the Corporation, except as a member under clause c of section 2;
- (b) an employee of the Corporation; or
- (c) a member of the immediate family of a person mentioned in clause a or b.



Idem,  
three  
terms

(2) No person may be elected or appointed a director for more than three terms of six consecutive years of service, but, following a break in the continuous service of at least one year, the same person may be re-elected or re-appointed to any office.

Idem,  
chairman,  
etc.

(3) No director may serve as chairman or vice-chairman of the Board for more than three consecutive annual terms in one office, but, following a break in the continuous service of at least one annual term, the same person may be re-elected or re-appointed to any office.

Honorary  
directors  
R.S.O. 1960,  
c. 322

(4) Honorary, Term and Life directors may be appointed in accordance with *The Public Hospitals Act*.

Hospital a  
corporation

7. The Board shall be a corporation without share capital under the name of "Lake of the Woods District Hospital" and by that name shall have perpetual succession and a corporate seal and may under that name sue and be sued, and shall have all the powers and privileges conferred upon it by this Act, and all the other powers, privileges and immunities vested by law in a corporation necessary or proper for carrying out its objects.

Property  
of Kenora  
General  
Hospital

8. All assets of every nature and kind vested in the Kenora General Hospital or its governing body immediately before this Act comes into force are hereby vested in the Corporation, subject to all liabilities, debts and obligations affecting such assets or owing by the said Kenora General Hospital, and the Corporation shall satisfy, pay and discharge all such liabilities, debts and obligations.

Assets of  
St. Joseph  
Hospital

9. The following assets vested in the Board of Directors of St. Joseph Hospital, Kenora, or La Communauté des Soeurs de Charité de la Providence at Kenora, immediately before this Act comes into force, are hereby vested in the Corporation:

- (a) all that real property more particularly described as lots 28, 29, 30, 31, 32, 33, 34, 37, 38, 39, 40, 41 and 42, and the northerly 17.00 feet in perpendicular width of lots 35 and 36, situate in the Town of Kenora, District of Kenora, as shown on a plan of subdivision registered in the office of land titles at Kenora as Plan M18;
- (b) all hospital supplies, furniture and equipment, both depreciable and non-depreciable except for the furniture and equipment of the sisters' department and the chapel;
- (c) all moneys on deposit for St. Joseph Hospital and choses in action.

**10.** Subject to *The Public Hospitals Act*, the Corporation may acquire such real and personal property as it, from time to time, considers necessary for the purpose of properly conducting the hospital, and may erect and maintain such buildings as are necessary for that purpose.

Acquisition of property

**11.** Subject to *The Public Hospitals Act* and any regulations made thereunder and to *The Hospital Services Commission Act* and any regulations made thereunder, the Corporation has charge of and supervision over the conduct, direction, management, operation, maintenance, alteration, enlargement, erection, furnishing and equipping of the hospital and, without limiting the generality of the foregoing, may,

Powers of corporation  
R.S.O. 1960,  
cc. 322, 176

- (a) make all such expenditures and enter into all such contracts and agreements as are necessary or convenient for the purpose of the hospital;
- (b) appoint and suspend or remove such employees as are deemed necessary for the general management, direction, control, operation and maintenance of the hospital, and fix their remuneration and prescribe their privileges, duties and working conditions;
- (c) fix the fees to be charged patients for accommodation in and services rendered by the hospital;
- (d) direct, manage and control the expenditure of all moneys received or provided for the construction or improvement of the hospital and for the operation, enlargement, alteration, erection and maintenance thereof;
- (e) enact by-laws providing for,
  - (i) the administration, operation, management and maintenance of the hospital,
  - (ii) the qualifications and duties of the officers and employees of the Corporation,
  - (iii) the organization, qualifications and privileges of and appointments to the medical, dental and nursing staff of the hospital, and
  - (iv) the conduct of professional practice in the hospital.

**12.** The Corporation may invest in such securities as are authorized by law for investment by trustees any moneys that at any time come into its possession in connection with the hospital.

Investments

Donations  
R.S.O. 1960,  
c. 246

**13.** Subject to *The Mortmain and Charitable Uses Act*, the Corporation may receive and take from the Crown and from any person, by grant, gift, advance or otherwise, any land or interest in land or any goods, chattels, moneys or effects for use in connection with the construction, operation, maintenance or any other object for the benefit of the Corporation.

Dissolution  
of Kenora  
General  
Hospital

**14.** The Kenora General Hospital is dissolved.

1929, c. 104;  
1931, c. 102,  
repealed

**15.** *An Act respecting the Town of Kenora and The Town of Kenora Act, 1931* are repealed.

Commence-  
ment

**16.** This Act comes into force on the 1st day of May, 1968.

Short title

**17.** This Act may be cited as *The Lake of the Woods District Hospital Act, 1968*.

## CHAPTER 157

# An Act respecting The Board of Education for the City of London

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Board of Education for the City of Preamble  
London, herein called the Board, by its petition has  
prayed for special legislation in respect of the matters herein-  
after set forth; and whereas it is expedient to grant the  
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. In the case of any employee who entered the service Employees transferred on annexation  
of the Board through annexation pursuant to the order of  
the Ontario Municipal Board, P.F.M. 7054-58 dated the  
3rd day of October, 1960, the Board may deem his service  
with the school board formerly having jurisdiction in the  
annexed area as service with the Board for the purposes of  
*The Schools Administration Act* and this Act.

R.S.O. 1960,  
c. 361

2.—(1) Notwithstanding section 40 of *The Schools Admin- Retirement allowances*  
*istration Act*, or any predecessor thereof, the Board may pay,

- (a) a retirement allowance from the date of retirement until death to former employees who retired on or before the 20th day of April, 1967, and had completed fewer than twenty years service with the Board, the amounts of such retirement allowances to be granted in accordance with the terms of the resolutions of the Board existing at the time of retirement;
- (b) a retirement allowance to any employee in its employ on a permanent full-time basis on the 20th day of April, 1967, and who remains in the employ of the Board on that basis until his retirement and who, at the time of his retirement,



R.S.O. 1960,  
c. 392

(i) is not eligible for payments under *The Teachers' Superannuation Act*, and

(ii) has completed at least ten years of continuous service with the Board as a full-time permanent employee,

not exceeding the retirement allowance that would have been payable under the terms of the resolutions of the Board existing on the 20th day of April, 1967, but subject to the maximums prescribed by subsection 1 of the said section 40.

Agreement  
with  
OMERS

(2) Notwithstanding any Act, the Board and the Ontario Municipal Employees Retirement Board may enter into an agreement to provide for the payment of retirement allowances referred to in clause *b* of subsection 1.

Medical and  
hospital  
insurance  
R.S.O. 1960,  
c. 361

3. Notwithstanding clauses *b* and *c* of subsection 1 of section 41 of *The Schools Administration Act* or any predecessor thereof, the Board may pay one-half of the premiums for sickness benefits provided through Physicians' Services Incorporated, Ontario Hospital Services Commission and Blue Cross for supplementary hospital semi-private care,

(a) in respect of former employees who retired on or before the 20th day of April, 1967 and to whom the Board represented such benefits would be paid after retirement;

(b) in respect of employees who were full-time permanent employees on the 20th day of April, 1967, who participated in such benefits on or before the 20th day of April, 1967 and who retire from the service of the Board before the 1st day of January, 1972,

while such persons are retired from the service of the Board and so long as such programmes are continued.

Application  
of 1965,  
c. 96, s. 2

4. The retirement allowance provided for by the Board under section 2 is not subject to *The Pension Benefits Act*, 1965.

Trust funds

5. The funds and sums of money described in the Schedule are hereby vested in the Board absolutely, clear of and free from all rights, title and interest, subject to any trusts affecting the same, and paragraph 16 of section 35 of *The Schools Administration Act* applies thereto.

R.S.O. 1960,  
c. 361

Commence-  
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. This Act may be cited as *The London Board of Education Act, 1968*.



## SCHEDULE

## F U N D S

<u>Name of Trust</u>	<u>Amount</u>	<u>At present represented by</u>
1. Central Collegiate Institute Trust Fund Scholarship	\$320.00	5¾% Ontario Loan and Debenture Corporation, due 1 Dec., 1970, Serial D19712
2. Alfred Raymond Scholarship Memorial Fund	\$500.00	6% Huron & Erie Deben- ture Serial No. 01-114046, due 1 May, 1972
3. Memorial Fund Scholarship	\$500.00	6% Huron & Erie Deben- ture Serial No. 01-114046, due 1 May, 1972
4. E. O. Hall Memorial Bur- saries	\$700.00	6% Huron & Erie Deben- ture Serial No. 01-114046, due 1 May, 1972
5. Alan Gibbons Medal	\$1,800.00	5½% Ontario Loan Deben- ture Serial No. D13238, due 1 Dec., 1969
6. Emma Tarrey Scholarship	\$2,000.00	Two 5½% Province of Ontario Debenture Serial Nos. CEE05411 and CEE05412, each for \$1,000, due 1 May, 1980
7. H. B. Beal Memorial Fund Scholarship	\$1,000.00	Two 5½% Province of Saskatchewan Debenture Serial Nos. PF-001 and PF-004, each for \$500, due 15 Feb., 1982



## CHAPTER 158

## An Act respecting the City of London

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of London, <sup>Preamble</sup>  
herein called the Corporation, by its petition has  
prayed for special legislation in respect of the matters herein-  
after set forth; and whereas it is expedient to grant the prayer  
of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** The by-law of the Corporation numbered L.R.C.-2(a)-247 <sup>By-law confirmed</sup>  
respecting the abolition of the London Railway Commis-  
sion and set out in Schedule A is hereby authorized and  
confirmed and declared to be legal, valid and binding.

**2.** The Corporation is authorized and empowered to pay <sup>Allowance for Mrs. John Hunter Christie</sup>  
from year to year, in the discretion of the council thereof,  
such sums as to the council may appear proper, not exceeding  
\$1,200.00 per annum, as a compassionate allowance to Mrs.  
John Hunter Christie, widow of John Hunter Christie, who  
was injured in the service of the Corporation.

**3.—(1)** Lands in the City of London more particularly <sup>Lands vested in University of Western Ontario</sup>  
described in Schedule B are hereby vested in The Board of  
Governors, The University of Western Ontario.

**(2)** The clerk of the Corporation shall, within sixty days <sup>Registration</sup>  
after this Act comes into force, register a copy of this Act,  
certified by the Clerk of the Legislative Assembly, in the  
registry office for the Registry Division of the East and  
North Ridings of the County of Middlesex.

**4.** This Act comes into force on the day it receives Royal <sup>Commence-ment</sup>  
Assent.

**5.** This Act may be cited as *The City of London Act, 1968*. <sup>Short title</sup>

## SCHEDULE A

## BY-LAW No. L.R.C.-2(a)-247

A BY-LAW to repeal By-law No. L.Ry.C.-2-28 and to provide for the winding up of the affairs of the London Railway Commission.

WHEREAS by virtue of Section 1 of Chapter 108, Statutes of Ontario, 1956, all lands and premises of the London and Port Stanley Railway are vested in the Corporation; and

WHEREAS the Corporation has by By-law No. L.Ry.C.-2-28 appointed a Commission known as the London Railway Commission which has the whole management and control of the London and Port Stanley Railway under the authority of Chapter 103, Statutes of Ontario, 1913, as amended by Chapter 104, Statutes of Ontario, 1955; and

WHEREAS the Corporation has sold the entire railway undertaking of the London and Port Stanley Railway to the Canadian National Railway Company with the exception of a few properties not directly connected with the said railway undertaking; and

WHEREAS, because of said sale, a Commission for the management and operation of the said railway undertaking is no longer required;

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the City of London, as follows:

1. By-law No. L.Ry.C.-2-28 is hereby repealed.
2. The said London Railway Commission shall cease to exist and the Commissioners thereof shall cease to hold office on the day this By-law becomes effective.
3. The secretary of the said Commission shall and is hereby directed to deliver to the City Clerk of the Corporation all books, records and documents pertaining to the London and Port Stanley Railway undertaking, and shall cause to be transferred to the Corporation all assets and liabilities thereof.
4. The Finance Commissioner of the Corporation is hereby empowered to take any and all steps necessary for the finalization of all outstanding accounts and financial matters of the said London and Port Stanley Railway and is hereby directed after completion of the said winding up to render a full report to the Council of the Corporation.
5. This by-law shall come into force and take effect on the day of the final passing thereof.

PASSED in open Council this 23rd day of May, 1967.

F. G. STRONACH,  
*Mayor.*

R. H. COOPER,  
*City Clerk*

## SCHEDULE B

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, in the County of Middlesex, and being composed of that part of the original road allowance between lots 16 and 17 in the Third Concession in the Township of London and now in the City of London, which was unopened and now lies within the campus of The University of Western Ontario and lies south of that portion thereof described as follows:

COMMENCING at the northeast angle of Lot 17, in the Third Concession of the said Township of London;

THENCE southerly along the easterly limit of said Lot 17, 221 feet 10 inches;

THENCE south 87 degrees 20 minutes east 72.34 feet, more or less, to the westerly limit of Lot 16 in the said Third Concession;

THENCE northerly therealong 251.96 feet, more or less, to the northwest angle of said Lot No. 16;

AND THENCE southerly 67 degrees 25 minutes 30 seconds west, 66.01 feet to the place of beginning.

SUBJECT TO any existing easements, leases, or agreements, made by The Board of Governors, The University of Western Ontario.





## CHAPTER 159

# An Act respecting The Lutheran Church—Missouri Synod

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Lutheran Church—Missouri Synod, Preamble  
incorporated under the laws of the State of Missouri,  
one of the States of the United States of America, by Articles  
of Incorporation, by its petition has prayed for special legis-  
lation to relieve it from certain effects of *The Mortmain and* R.S.O. 1960,  
c. 246  
*Charitable Uses Act*; and whereas it is expedient to grant the  
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. The Lutheran Church—Missouri Synod is hereby em-  
powered from time to time to acquire in mortmain by purchase, Power  
to hold  
land in  
mortmain  
lease, gift, devise or bequest and to hold, possess, retain and  
enjoy in perpetuity and to assure in mortmain any land, or  
any estate or interest therein, in the Province of Ontario  
necessary for the actual use and occupation of The Lutheran  
Church—Missouri Synod or for the carrying on of its under-  
taking, and may alienate such property or any estate or  
interest therein at pleasure.

2. Land acquired or held by The Lutheran Church—  
Missouri Synod shall be disposed of by it within seven years Disposition  
of land not  
held for  
purposes  
from the time when the land ceases to be necessary for the  
actual use and occupation of The Lutheran Church—Missouri  
Synod or for carrying on its undertaking.

3. This Act comes into force on the day it receives Royal Commence-  
ment  
Assent.

4. This Act may be cited as *The Lutheran Church—Missouri* Short title  
*Synod Act, 1968*.



## CHAPTER 160

## An Act respecting the Township of Nepean

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the Township of Nepean, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding paragraph 99 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass by-laws for entering into agreements with suppliers and distributors of cable television or community television systems for the use by them of any highway, street or public place and to erect and maintain thereon poles, towers, wires, cables, amplifiers and other accessory equipment, and to construct and lay down proper ducts and conduits for enclosing wires, cables, amplifiers and other accessory equipment for the purpose of transmitting electrical or electric impulses, signals and messages of every nature and kind, including those of alarm and protection systems, radio programmes or part thereof and television programmes or part thereof and for such consideration and on such terms and conditions as may be agreed upon.

Agreements  
for cable TV  
on public  
lands  
R.S.O. 1960,  
c. 249

2. By-law No. 105/67 of the Corporation, being "A by-law of the Township of Nepean for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Township of Nepean for the purpose of maintaining and operating in the Township of Nepean a community television system for the interception, sale and distribution of television signals", set forth in the Schedule hereto, is hereby validated and confirmed.

By-law  
confirmed

3. This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

4. This Act may be cited as *The Township of Nepean Act*, 1968.

Short title

## SCHEDULE

## BY-LAW NO. 105/67

Being a by-law of the Township of Nepean for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Township of Nepean for the purpose of maintaining and operating in the Township of Nepean a community television system for the interception, sale and distribution of television signals.

WHEREAS the Council of the Corporation of the Township of Nepean is by paragraph 99 of section 379 (1) of *The Municipal Act* authorized to pass by-laws for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Township of Nepean for the purpose of maintaining and operating in the Township of Nepean a community television system for the interception, sale and distribution of television signals;

AND WHEREAS it is expedient to enact as hereinafter set forth;

THEREFORE the Council of The Corporation of the Township of Nepean enacts as follows:

1. No person shall construct, erect, operate or maintain in, upon, along, across, above, over and under any highway in the Township of Nepean any service wires, underground conduits, manholes, amplifiers and other television conductors and fixtures necessary for the maintenance and operation of a community television system for the interception, sale and distribution of television signals without first obtaining a permit from the Township Engineer of the Corporation.

2. No person shall be granted a permit referred to in paragraph 1 of this by-law unless and until he procures a licence from the Department of Transport of the Government of Canada which licence permits him to install and operate a community antenna television system in a defined area in the Township of Nepean.

3. No permit shall be issued to an applicant unless and until he has entered into an agreement with the Township of Nepean prescribing the consideration, terms and conditions of the grant of user by the Township to the applicant of any portion of a highway in the Township of Nepean.

4. Every person who contravenes any of the provisions of this by-law shall, upon conviction thereof, forfeit and pay at the discretion of the convicting magistrate a penalty not exceeding the sum of \$300.00 (exclusive of costs) for each offence.

GIVEN under the corporate seal of The Corporation of the Township of Nepean, this 4th day of December, 1967.

D. A. MOODIE,  
Reeve.

D. E. HOBBS,  
Clerk.



## CHAPTER 161

**An Act respecting the City of Niagara Falls**

*Assented to April 11th, 1968*  
*Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Niagara Falls by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The Greater Niagara Transit Commission as established by by-laws of The Corporation of the City of Niagara Falls and The Corporation of the Township of Stamford under subsection 1 of section 2 of *The Greater Niagara Transit Commission Act, 1960-61* is hereby continued.

Greater  
Niagara  
Transit  
Commission  
continued

**2.** Section 1 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by adding thereto the following clauses:

1960-61,  
c. 112, s. 1,  
amended

(ba) "compensation" includes any rate, remuneration, reimbursement or reward of any kind paid, payable or promised or received or demanded, directly or indirectly;

(bb) "highway" means a highway as defined in *The Highway Traffic Act*; R.S.O. 1960,  
c. 172

(bc) "limits of the City of Niagara Falls" means the limits of the said City as they may be from time to time;

. . . . .

(ca) "taxi" means a motor vehicle as defined in *The Highway Traffic Act*, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the transportation

exclusively

exclusively of one person or group of persons, one fare or charge only being collected or made for the trip.

1960-61,  
c. 112, s. 3,  
subs. 1,  
re-enacted

**3.—**(1) Subsection 1 of section 3 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

Commission  
members

(1) The Commission is a body corporate and shall consist of five members, as follows:

1. The mayor of the City, during his term of office.
2. Four members appointed by the council of the City, two of whom shall be appointed each year for a term of two years.

1960-61,  
c. 112, s. 3,  
subs. 3,  
amended

(2) Subsection 3 of the said section 3 is amended by striking out "or reeve" in the first and second lines.

1960-61,  
c. 112, s. 3,  
subs. 4,  
amended

(3) Subsection 4 of the said section 3 is amended by striking out "councils of the City and the Township" in the fourth line and inserting in lieu thereof "council of the City".

1960-61,  
c. 112, s. 3,  
subs. 6,  
re-enacted

(4) Subsection 6 of the said section 3 is repealed and the following substituted therefor:

Vacancies

(6) Where a vacancy occurs from any cause in the office of a member of the Commission, except that of the mayor of the City, the council of the City shall appoint a qualified person to be a member for the remainder of the term for which his immediate predecessor was appointed.

1960-61,  
c. 112, s. 4,  
subs. 1,  
cl. a,  
re-enacted

**4.** Clause *a* of subsection 1 of section 4 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

(a) is a householder residing in the City of Niagara Falls or is rated on the last revised assessment roll of the City of Niagara Falls for land held in his own right for an amount sufficient to entitle him to be entered on the voters' list in the City of Niagara Falls and resides in or within five miles of the City of Niagara Falls.

1960-61,  
c. 112, s. 5,  
subs. 1,  
para. 1,  
re-enacted

**5.—**(1) Paragraph 1 of subsection 1 of section 5 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor:

1. A member of the council of the City, other than the mayor, during his term of office or, in the event that for any reason he ceases to be a member of the council, during the unexpired term for which he was elected.

(2) Paragraph 2 of subsection 1 of the said section 5 is amended by striking out "or the Township" in the third line. 1960-61, c. 112, s. 5, subs. 1, para. 2, amended

(3) Paragraph 3 of subsection 1 of the said section 5 is amended by striking out "heads" in the second line and inserting in lieu thereof "head", by striking out "councils" in the third line and inserting in lieu thereof "council" and by striking out "or the Township" in the sixth line. 1960-61, c. 112, s. 5, subs. 1, para. 3, amended

(4) Paragraph 4 of subsection 1 of the said section 5 is amended by striking out "Township" in the fourth line and in the fifth and sixth lines. 1960-61, c. 112, s. 5, subs. 1, para. 4, amended

(5) Paragraph 5 of subsection 1 of the said section 5 is amended by striking out "or Township" in the third line, by striking out "Township" in the fourth line and in the sixth line, and by striking out "or Township" in the ninth line. 1960-61, c. 112, s. 5, subs. 1, para. 5, amended

(6) Paragraph 6 of subsection 1 of the said section 5 is amended by striking out "Township" in the third line. 1960-61, c. 112, s. 5, subs. 1, para. 6, amended

(7) Subsection 2 of the said section 5 is amended by striking out "the Township" in the third line. 1960-61, c. 112, s. 5, subs. 2, amended

6.—(1) Clause *e* of section 6 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "councils" in the fourth line and inserting in lieu thereof "council" and by striking out "and the Township" in the fifth line. 1960-61, c. 112, s. 6, cl. e, amended

(2) Clause *f* of the said section 6 is amended by striking out "and the Township" in the second line. 1960-61, c. 112, s. 6, cl. f, amended

7. Section 7 of *The Greater Niagara Transit Commission Act, 1960-61* is repealed and the following substituted therefor: 1960-61, c. 112, s. 7, re-enacted

7.—(1) Notwithstanding the provisions of any other Act, no person other than the Commission shall, after the 1st day of July, 1968, Exclusive rights

- (a) operate a local passenger transportation service on any highway within the limits of the City of Niagara Falls;

- (b) take on passengers within the limits of the City of Niagara Falls in any vehicle operated on any highway within the said limits for the conveyance of passengers for compensation and discharge such passengers within the said limits.

Application  
of sub-  
section 1

(2) Subsection 1 does not apply to the operation of,

- (a) steam or electric railways running only upon rails;
- (b) taxis;
- (c) buses owned and operated by a board of education, school board or a licensed private school;
- (d) buses when hired by a board of education, school board or a licensed private school for the purpose of and while actually engaged in transporting school children from or near their homes to school, from school to or near their homes and from one school to another school only;
- (e) buses when operated upon sight-seeing tours where all passengers upon the particular tour are picked up, returned to and discharged at the same place, such place being situate upon private property;
- (f) buses when operated upon sight-seeing tours wholly upon lands vested in or under the control of The Niagara Parks Commission; and
- (g) buses owned or leased by any person, firm, corporation or organization and operated solely for the purpose of such person, firm, corporation or organization where no fare or fee is charged or paid directly or indirectly for transportation therein.

Duty  
to comply

- (3) No person who owns a vehicle to which this section applies shall permit the vehicle to be operated contrary to the provisions of this section.

Offence

- (4) Every person who contravenes any of the provisions of this section is guilty of an offence and on summary conviction is liable for the first offence to a

fine



fine of not less than \$25 and not more than \$100, exclusive of costs, and for any subsequent offence to a fine of not less than \$100 and not more than \$300, exclusive of costs.

- (5) In addition to any penalty imposed by subsection 4 <sup>Restraining action</sup> of this section, any contravention of this section may be restrained by action at the instance of the Commission or the City.

**8.** Section 8 of *The Greater Niagara Transit Commission Act, 1960-61* <sup>1960-61, c. 112, s. 8, amended</sup> is amended by striking out "or the Township" in the sixth line.

**9.** Section 11 of *The Greater Niagara Transit Commission Act, 1960-61* <sup>1960-61, c. 112, s. 11, amended</sup> is amended by striking out "councils of the City and the Township" in the fifth line and inserting in lieu thereof "council of the City".

**10.** Section 12 of *The Greater Niagara Transit Commission Act, 1960-61* <sup>1960-61, c. 112, s. 12, re-enacted</sup> is repealed and the following substituted therefor:

12. The Commission shall, before the 15th day of February in each year, submit to the council of the City a statement or an estimate of any moneys required to pay any estimated deficit of the system as at the end of the preceding calendar year, and the council shall include the same in its estimates for the year and shall pay over to the Commission on or before the 1st day of April of the same year the amount of any such net operating deficit, as shown by the auditor's statement, for such calendar year. <sup>Payment of deficit</sup>

**11.—**(1) Subsection 1 of section 13 of *The Greater Niagara Transit Commission Act, 1960-61* <sup>1960-61, c. 112, s. 13, subs. 1, re-enacted</sup> is repealed and the following substituted therefor:

- (1) The Commission shall not undertake the purchase of land, equipment or any extension or improvement of the system, the cost or any part of the cost of which is to be or may be provided for by the City, unless an estimate of the expenditure required is first submitted to the council of the City and such expenditure is approved by the council. <sup>Costs of extension or improvement</sup>

(2) Subsection 2 of the said section 13 is amended by striking out "councils of the City and the Township" in the first line and inserting in lieu thereof "council of the City". <sup>1960-61, c. 112, s. 13, subs. 2, amended</sup>

**12.** Section 14 of *The Greater Niagara Transit Commission Act, 1960-61* <sup>1960-61, c. 112, s. 14, amended</sup> is amended by striking out "and the Township in equal proportions" in the second line.



1960-61,  
c. 112, s. 15,  
amended

**13.** Section 15 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "or by the Township" in the second and third lines.

1960-61,  
c. 112, s. 16,  
amended

**14.** Section 16 of *The Greater Niagara Transit Commission Act, 1960-61* is amended by striking out "councils" in the first line and inserting in lieu thereof "council" and by striking out "and the Township" in the second line.

Commence-  
ment

**15.**—(1) This Act, except sections 1, 3, 4, 5, 6 and 8 to 14, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1, 3, 4, 5, 6 and 8 to 14 shall be deemed to have come into force on the 1st day of January, 1963.

Short title

**16.** This Act may be cited as *The City of Niagara Falls Act, 1968*.

## CHAPTER 162

## An Act respecting the County of Ontario

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the County of Ontario Preamble  
by its petition has prayed for special legislation  
in respect of the matters hereinafter set forth; and whereas  
it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "Council" means the council of the County;
- (b) "County" means The Corporation of the County of Ontario;
- (c) "local municipality" means a town, not being a separated town, or a village or township in the County;
- (d) "municipal electors" means the persons entitled to vote at a municipal election.

**2.**—(1) In addition to the votes provided for by sub-Additional  
votes of  
reeve and  
deputy  
reeve  
section 2 of section 26 of *The Municipal Act*,

- (a) where a local municipality has more than 5,000 and not more than 8,000 municipal electors, the reeve as a member of the Council has one additional vote; or R.S.O. 1960,  
c. 249
- (b) where a local municipality has more than 8,000 municipal electors, the reeve and deputy reeve as members of the Council have one additional vote each.

(2) Subsections 2, 3 and 4 of section 33 of *The Municipal Act* apply to this section. Application  
of  
R.S.O. 1960,  
c. 249, s. 33,  
subss. 2-4

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The County of Ontario Act, 1968*.

## CHAPTER 163

## An Act respecting the City of Oshawa

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Oshawa Preamble  
by its petition has prayed for special legislation in  
respect of the matters hereinafter set forth; and whereas  
it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. Section 8 of *The City of Oshawa Act, 1960* is repealed 1960,  
c. 160, s. 8,  
re-enacted  
and the following substituted therefor:

8.—(1) The Council is responsible for the payment of  
any net operating deficit of the system and shall  
provide in its estimates each year for the estimated  
net operating deficit for the year as submitted by  
the Commission, Operating  
deficits  
provided for  
in estimates

(a) plus the sum required to pay any amount by  
which the actual deficit for the preceding year  
exceeded the estimated net operating deficit  
provided for in that year; and

(b) less any amount by which the estimated net  
operating deficit provided for in the preceding  
year exceeded the actual deficit in that year.

(2) The Council shall transfer to the Commission at Payment to  
Commission  
its request from time to time, whether or not the  
estimates have been approved, such sums as are  
required to meet the net operating deficit for that  
part of the year ending with the Commission's  
request, but not exceeding in total the amount of  
the estimated net operating deficit included in the  
Council's estimates for that year.

(3) Any amount added to the estimates in a year under Idem  
clause a of subsection 1 shall be paid to the Com-  
mission before the 1st day of March in that year.

By-laws

**2.** The council of The Corporation of the City of Oshawa may pass by-laws,

- (a) to authorize the execution of an agreement between The Corporation of the City of Oshawa and Canadian National Railway Company to provide and pay for the construction of a railway spur line, some 8,000 feet in length, from the main line of the said Canadian National Railway Company in the City of Oshawa to the Oshawa Harbour, and to provide and pay for the maintenance of the railway spur line and to provide for the sale or conveyance of the said spur line to Canadian National Railway Company upon such terms and conditions as the council of the Corporation may deem fit;
- (b) to authorize The Corporation of the City of Oshawa, subject to the approval of the Ontario Municipal Board, to issue debentures for the whole or any part of the original cost of constructing the said spur line to be borne by the City of Oshawa as a result of such agreement; and
- (c) to acquire by expropriation or otherwise any lands required for the construction of the said spur line.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The City of Oshawa Act, 1968*.



## CHAPTER 164

## An Act respecting the City of Ottawa

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Ottawa, Preamble  
herein called the Corporation, by its petition has  
prayed for special legislation in respect of the matters herein-  
after set forth; and whereas it is expedient to grant the  
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. Notwithstanding anything contained in *The Local* Street  
*Improvement Act*, the council of the Corporation may under- lighting  
take as a local improvement the installation of street lighting R.S.O. 1960,  
within the City of Ottawa without a petition, and section 8 c. 223  
of *The Local Improvement Act* applies to such work.

2.—(1) Notwithstanding paragraph 114 of subsection 1 of Anti-noise  
section 379 of *The Municipal Act*, the council of the Corpora- by-laws  
tion may pass by-laws for regulating or prohibiting the making R.S.O. 1960,  
or causing of noises or sounds anywhere within the City of c. 249  
Ottawa that disturb, or tend to disturb, the quiet, peace,  
rest, enjoyment, comfort or convenience of the neighbour-  
hood, or of persons in the vicinity, or that are objectionable  
or liable to disturb the quiet, peace, rest, enjoyment, comfort  
or convenience of individuals or the public, and such by-laws  
may make different regulations or prohibitions for different  
areas of the City of Ottawa and may provide in exceptional  
cases that such noises may, with the permission of the Mayor,  
be permitted for limited periods.

(2) Without limiting the generality of subsection 1 and Motor  
subject to the approval of the Minister of Transport, the vehicles  
council of the Corporation may pass by-laws prohibiting the  
driving or operating of motor vehicles in the City of Ottawa  
that create undue noise.

3. Section 1 of *The City of Ottawa Act, 1952* is amended 1952,  
by adding thereto the following subsections: c. 130, s. 1,  
amended

Duty of  
owners

- (11) The owner of any dwelling and, to the extent that he is made responsible by the lease or agreement under which he occupies the dwelling, the occupant thereof shall be required to repair and maintain the dwelling in accordance with the standards or demolish the whole or any part of the dwelling.

Registration  
of orders

- (12) When an order has been issued under subsection 2, the order may be registered in the proper registry office or registered as a caution in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases, or other dispositions are subject to such order as confirmed or modified, and the order is an encumbrance on the land.

Discharge  
of order

- (13) When the requirements of the order have been satisfied, a certificate shall be delivered to any interested person that the order has been so satisfied, and such certificate may be registered in the same manner as the order and shall operate as a discharge thereof.

Furnishing  
copy of  
order

- (14) No person shall sell, mortgage or lease or agree to sell, mortgage or lease any dwelling in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of the order.

Owner's  
right of  
entry

- (15) Every owner has the right to enter and repair any dwelling pursuant to an order, notwithstanding anything contained in or resulting from a lease or agreement pursuant to which possession of the dwelling has been given to another person.

1966, c. 179,  
amended

4. Section 4 of *The City of Ottawa Act, 1966* is amended by adding thereto the following subsections:

Duty of  
owner and  
tenant

- (11) The owner of any non-residential property and, to the extent that he is made responsible by the lease or agreement under which he occupies such property, the occupant thereof shall be required to repair and maintain the buildings forming part of the non-residential property in accordance with the standards or demolish the whole or any part of the building.

- (12) When an order has been issued under subsection 2, the order may be registered in the proper registry office or registered as a caution in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases or dispositions are subject to such order as confirmed or modified, and the order is an encumbrance on the land. Registration of order
- (13) When the requirements of the order have been satisfied, a certificate shall be delivered to any interested person that the order has been so satisfied, and such certificate may be registered in the same manner as the order and shall operate as a discharge thereof. Discharge of order
- (14) No person shall sell, mortgage or lease or agree to sell, mortgage or lease any building in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of the order. Furnishing copy of order
- (15) Every owner has the right to enter and repair any building pursuant to an order, notwithstanding anything contained in or resulting from a lease or agreement pursuant to which possession of the building has been given to another person. Owner's right of entry

5. The council of the Corporation may pass by-laws providing that any words required by *The Highway Traffic Act* to be contained on signs or markings erected or placed on highways or any part thereof in the City of Ottawa may be so contained thereon in both the English and French languages. Bilingual signs R.S.O. 1960, c. 172

6. On and after the 1st day of July, 1968, the authority and power of Boards of Commissioners of Police under *The Municipal Act* to pass by-laws to license trades, callings, persons or things is vested in the council of the Corporation, including the authority and power of Boards of Commissioners of Police to regulate and govern such trades, callings, persons or things. Licensing R.S.O. 1960, c. 249

7.—(1) Notwithstanding sections 6 and 7, as amended by section 6 of *The City of Ottawa Act, 1948*, and section 10, as re-enacted by section 8 of *The City of Ottawa Act, 1948*, of *The Ottawa City Transportation Act*, if, in the opinion of the Commission, it is deemed not possible or in its best interests in the provision of local transit services to establish Costs of Transportation Commission 1920, c. 132

a scale of tolls or fares for the carriage of passengers at a rate sufficient to meet the yearly maintenance and operating costs and other financial charges, referred to in the said sections, the Commission may request from the Corporation or from any other municipality adjacent to the City of Ottawa and served by it either directly or with the assistance of the Corporation such sums as may be deemed necessary to carry out the Commission's powers and duties, as referred to in said sections, but nothing in this Act divests the council of the Corporation or of any other adjacent municipality of its authority to refuse to provide such money requested in whole or in part.

Payment

(2) Notwithstanding the provisions of any general or special Act, the Corporation or any other adjacent municipal corporation served by the Commission may, by by-law passed by a two-thirds majority vote of the respective council or councils concerned, provide for payment of financial assistance towards meeting the yearly maintenance and operating costs or other financial obligations of the Commission.

Idem

(3) The amount of such financial assistance to be paid in any year shall be payable at such time or times and in such amounts as is prescribed in the by-law.

Idem

(4) The payments of financial assistance referred to in this section may be provided for by inclusion in the current budget estimates of the Corporation and the adjacent municipalities concerned in accordance with the provisions of *The Municipal Act* in this regard or, without obtaining the assent of the electors but with the approval of the Ontario Municipal Board, provided by the issue of debentures therefor.

R.S.O. 1960,  
c. 249

Terms and  
conditions

(5) Any financial contribution by a municipality under this section may be made upon such terms and conditions as are agreed upon between the Commission and the council of the municipal corporation concerned.

1920,  
c. 132, s. 5a  
(1964,  
c. 136, s. 2),  
re-enacted

8. Subsection 3 of section 5a of *The Ottawa City Transportation Act*, as enacted by section 2 of *The City of Ottawa Act, 1964*, is repealed and the following substituted therefor:

Application  
of  
R.S.O. 1960,  
c. 255

(3) *The Municipal Franchises Act* does not apply to any agreement entered into or by-law passed under this section.

1920, c. 132,  
amended

9. *The Ottawa City Transportation Act* is amended by adding thereto the following section:



5b.—(1) In this section, “bus” means a vehicle used by the Commission for the transportation of passengers for compensation. <sup>Interpre-  
tation</sup>

(2) No person shall,

<sup>Regulation  
of  
passengers</sup>

(a) smoke, carry a lighted pipe, cigar or cigarette, consume alcoholic beverages, be intoxicated, conduct himself in a disorderly or offensive manner, solicit or canvass any passenger by word of mouth or commit any nuisance in or upon any bus or on any premises of the Commission that are open to the public;

(b) ride or stand on any exterior portion of a bus, or, except under the direction and in the presence of an officer or servant of the Commission, enter or leave a bus by any means other than a designated door;

(c) attempt to operate a bus or interfere with any part of the equipment of a bus except in the course of his duties as an officer or employee of the Commission or with the authority of the Commission;

(d) ride on a bus as a passenger without first paying the fare from time to time established by the Commission or tendering a valid ticket or transfer issued by the Commission, except that the holder of a valid pass issued by the Commission and a member of the City of Ottawa Police Force, while in uniform, are entitled to travel by bus without charge.

(3) The Commission may refuse to transport a person who is contravening any provision of subsection 2, and the operator of a bus may eject any such person from the bus at any usual stopping place after first stopping the bus and using no unnecessary force. <sup>Refusal  
to carry</sup>

(4) Any person who contravenes any provision of subsection 2 is guilty of an offence and on summary conviction is liable to a fine of not more than \$50. <sup>Offence</sup>

10. Section 25 of *The Ottawa City Transportation Act*, as enacted by section 15 of *The City of Ottawa Act, 1948*, is repealed and the following substituted therefor: <sup>1920,  
c. 132, s. 25  
(1948,  
c. 117,  
s. 15),  
re-enacted</sup>



Application  
of  
R.S.O. 1960,  
c. 337

25. Nothing in this Act shall be construed as affecting the powers conferred on the Minister of Transport by *The Public Vehicles Act* and, for the purposes of *The Public Vehicles Act*, the cities of Ottawa and Eastview, the Village of Rockcliffe Park and the townships of Gloucester and Nepean shall be deemed to be one urban municipality.

Commence  
ment

**11.** This Act comes into force on the day it receives Royal Assent.

Short title

**12.** This Act may be cited as *The City of Ottawa Act, 1968*.

## CHAPTER 165

# An Act respecting the City of Ottawa Separate School Board

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Board of Trustees of the Roman <sup>Preamble</sup>  
Catholic Separate Schools for the City of Ottawa,  
herein called the Board, by its petition has represented that  
it is expedient that its trustees elected for a four-year term  
in 1964 continue in office until the municipal elections of the  
City of Ottawa in 1969; and whereas it is expedient to grant  
the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** Subsection 3 of section 1 of *The City of Ottawa Separate* <sup>1950, c. 110,</sup>  
*School Board Act, 1950*, as re-enacted by section 1 of *The City* <sup>s. 1</sup>  
*of Ottawa Separate School Board Act, 1961-62*, is repealed. <sup>(1961-62,</sup>  
<sup>c. 165, s. 1),</sup>  
<sup>subs. 3,</sup>  
<sup>repealed</sup>

**2.** The five trustees of the Board who were elected in the <sup>Trustees</sup>  
year 1964 shall continue in office until the time of the <sup>whose terms</sup>  
municipal elections of the City of Ottawa, to be held in 1969, and <sup>finish in</sup>  
until their successors are elected. <sup>1969</sup>

**3.** This Act comes into force on the day it receives Royal <sup>Commence-</sup>  
Assent. <sup>ment</sup>

**4.** This Act may be cited as *The City of Ottawa Separate* <sup>Short title</sup>  
*School Board Act, 1968*.



## CHAPTER 166

**An Act respecting the Town of Palmerston**

*Assented to April 11th, 1968*  
*Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the Town of Palmerston <sup>Preamble</sup> by its petition has represented that the Palmerston Hospital Commission established under *The Town of Palmerston Hospital Act, 1927* is no longer required to control and manage a hospital under the said Act; and whereas the said Palmerston Hospital Commission has certain personal property assets and liabilities acquired and incurred in the name of the Commission; and whereas the petitioner has prayed for special legislation dissolving the said Palmerston Hospital Commission and transferring its said assets and liabilities to Palmerston General Hospital, a corporation without share capital incorporated under the laws of Ontario by letters patent dated the 2nd day of January, 1968; and whereas it is expedient to grant the prayer of the petition; <sup>1927, c. 121</sup>

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The Palmerston Hospital Commission established under *The Town of Palmerston Hospital Act, 1927* is dissolved and all the assets and liabilities of the Commission are vested in and become the assets and liabilities of the Palmerston General Hospital, a corporation incorporated under the laws of Ontario by letters patent dated the 2nd day of January, 1968. <sup>Palmerston Hospital Commission dissolved</sup>

**2.** *The Town of Palmerston Hospital Act, 1927* and *The Town of Palmerston Hospital Act, 1954* are repealed. <sup>1927, c. 121; 1954, c. 121, repealed</sup>

**3.** This Act comes into force on the day it receives Royal Assent. <sup>Commencement</sup>

**4.** This Act may be cited as *The Town of Palmerston Act, 1968*. <sup>Short title</sup>





## CHAPTER 167

## An Act respecting the County of Peel

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the County of Peel <sup>Preamble</sup> by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

<sup>Interpre-  
tation</sup>

- (a) "Committee" means the committee established to administer the sinking fund;
- (b) "Corporation" means The Corporation of the County of Peel;
- (c) "Council" means the council of the Corporation.

**2.** Notwithstanding the provisions of any general or <sup>Sinking  
fund  
debentures</sup> special Act,

- (a) the Council may provide in any money by-law that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case the debentures issued under the by-law shall be known as sinking fund debentures;
- (b) when sinking fund debentures are issued, the amount of principal to be raised in each year shall be a specific sum that, with the estimated interest at a rate not exceeding 4 per cent per annum, capitalized yearly, will be sufficient to pay the principal of the debentures as it becomes due;
- (c) when sinking fund debentures are issued, the Committee shall keep one or more consolidated bank accounts in which,

- (i) the treasurer of the Corporation shall deposit each year during the term of the debentures the moneys raised for the sinking funds of all debts that are to be paid by means of sinking funds, and
- (ii) there shall be deposited all earnings derived from, and all proceeds of the sale or maturity or redemption prior to maturity of, sinking fund investments;
- (d) when sinking fund debentures are issued, there shall be a sinking fund committee, which shall be composed of the treasurer of the Corporation and two members appointed by the Lieutenant Governor in Council, and the two appointed members shall be paid, out of the current funds of the Corporation, such annual remuneration as the Lieutenant Governor in Council may determine;
- (e) the treasurer of the Corporation shall be the chairman and treasurer of the Committee, and in his absence the appointed members may appoint one of themselves to act as chairman;
- (f) each member of the Committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys and securities that come into his hands, in such amount as the auditors of the Corporation shall determine, and in other respects the provisions of section 234 of *The Municipal Act* apply with respect to such security;
- (g) two members of the Committee shall be a quorum, and all investments and sales of investments must be approved by the treasurer of the Corporation and one other member of the Committee;
- (h) all assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the Committee;
- (i) all withdrawals from the consolidated bank accounts shall be authorized by the Committee, and all cheques on the consolidated bank accounts shall be signed by the treasurer of the Corporation and one other member of the Committee;

R.S.O. 1960,  
c. 249

(j)

- (j) the Committee shall invest any moneys on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investment;
- (k) the moneys in the consolidated bank accounts shall be invested in debentures of the Corporation or other securities in which a trustee may invest under the provisions of *The Trustee Act* or in securities approved for investments by municipal corporations under the provisions of *The Municipal Act*; R.S.O. 1960, cc. 408, 249
- (l) all securities acquired by the Committee as investments for sinking fund purposes shall be deposited for safe keeping in a chartered bank or trust company until they are sold or mature or are called for redemption prior to maturity;
- (m) all sinking fund debentures issued on the same date, maturing on the same date and payable in the same currency, notwithstanding that they were issued under one or more by-laws, shall be represented by one sinking fund account;
- (n) where there is more than one sinking fund debenture by-law outstanding, the earnings from sinking fund investments in each year shall be apportioned by the Committee among all the sinking funds in the proportion that the increase during that year in the accumulated interest as provided for in clause *b* on the specific amount required to be deposited annually during the currency of each sinking fund debenture by-law bears to the total of all increases during that year in the accumulated interest as provided for in clause *b* on all the specific amounts required to be deposited annually during the currency of all outstanding sinking fund debenture by-laws;
- (o) when the office of the treasurer of the Corporation is vacant or the treasurer is absent or is unable to carry on his duties through illness or otherwise, the deputy treasurer of the Corporation shall act in his place and stead and, when so acting, has all the powers and duties of the treasurer as a member and as the chairman and treasurer of the Committee.

3. This Act comes into force on the day it receives Royal Assent. Commencement

4. This Act may be cited as *The County of Peel Act, 1968*. Short title



## CHAPTER 168

## An Act respecting the Township of Pelee

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the Township of Pelee <sup>Preamble</sup> by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The Corporation of the Township of Pelee is hereby <sup>Pheasant farm</sup> authorized to establish, operate and maintain a farm for <sup>authorized</sup> propagating and raising pheasants in the Township of Pelee, subject to *The Game and Fish Act, 1961-62* and the regula- <sup>1961-62, c. 48</sup> tions made thereunder.

**2.** The council of The Corporation of the Township of <sup>Debentures authorized</sup> Pelee may pass a by-law, subject to the approval of the Ontario Municipal Board and with the assent of the electors qualified to vote on money by-laws, which assent shall not be dispensed with, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$45,000, payable in not more than fifteen years, for the purpose of paying the capital cost of establishing the said farm.

**3.** This Act comes into force on the day it receives Royal <sup>Commence- ment</sup> Assent.

**4.** This Act may be cited as *The Township of Pelee Act*, <sup>Short title</sup> 1968.





## CHAPTER 169

## An Act respecting the City of Peterborough

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Peterborough <sup>Preamble</sup> by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** The council of the Corporation of the City of Peterborough may, with the approval of the Ontario Municipal Board, pass by-laws authorizing the Peterborough Utilities Commission to enlarge and improve the zoological and botanical gardens now established on lands owned by the Corporation and otherwise used for or in connection with the waterworks controlled and managed by the said Commission or on lands hereafter acquired by the Corporation and for issuing debentures therefor.
- 2.** The waterworks of the Peterborough Utilities Commission shall be specially charged with the repayment of any debentures issued as aforesaid and with all expenditures otherwise incurred in the enlargement, improvement, maintenance and management of the said park. <sup>Waterworks charged</sup>
- 3.** Any by-law passed under section 1 may provide that, <sup>By-laws</sup>
  - (a) the park shall be under the general management, regulation and control of the Peterborough Utilities Commission;
  - (b) the Peterborough Utilities Commission may pass by-laws for the use, regulation, protection and government of the park and attach penalties for the infraction thereof, and that such by-laws may be enforced and the penalties thereunder recovered in

like

like manner as by-laws of municipal councils and the penalties thereunder may be enforced and recovered;

- (c) the Peterborough Utilities Commission may fix and collect entrance fees to the park and let from year to year or for any time not exceeding ten years the right to sell refreshments or operate other concessions within the park under such regulations as it shall prescribe, and that all receipts therefrom shall be applied to the credit of the said waterworks;
- (d) the Peterborough Utilities Commission may take or receive from any person or body corporate by gift, bequest or devise any land or interest in land and any personal property for the use, support and purposes of the park, and that any land or interest in land so acquired is vested in The Corporation of the City of Peterborough.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

Short title

**5.** This Act may be cited as *The City of Peterborough Act, 1968.*

## CHAPTER 170

## An Act respecting the City of Peterborough

*Assented to April 11th, 1968*  
*Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Peterborough Preamble  
 by its petition has prayed for special legislation in  
 respect of the matters hereinafter set forth; and whereas  
 it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario, enacts  
 as follows:

**1.** For the year 1969 and thereafter and notwithstanding Election  
by wards  
1953, c. 126  
 section 1 of *The City of Peterborough Separate School Board*  
*Act, 1953,*

- (a) the council of The Corporation of the City of Peterborough shall be composed of a mayor, and two aldermen for each ward;
- (b) The Board of Education for the City of Peterborough shall, in addition to the appointed members, be composed of two elected members for each ward;
- (c) The Board of Trustees of the Roman Catholic Separate Schools for the City of Peterborough shall be composed of two members for each ward; and
- (d) the Peterborough Utilities Commission shall be composed of one member for each ward and the mayor who shall be a member thereof *ex officio*.

**2.** Section 1 of *An Act respecting the City of Peterborough*, <sup>1908,</sup>  
 being chapter 104 of the Statutes of Ontario, 1908, as amended <sup>c. 104, s. 1,</sup>  
 by section 1 of *An Act respecting the City of Peterborough*, <sup>repealed</sup>  
 being chapter 123 of the Statutes of Ontario, 1910, section 1  
 of *An Act respecting the City of Peterborough*, being chapter 75  
 of the Statutes of Ontario, 1918, section 2 of *The City of* <sup>1933, c. 91</sup>  
*Peterborough Act, 1933,* and section 1 of *The City of Peter-* <sup>1957, c. 152</sup>  
*borough Act, 1957,* is repealed.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The City of Peterborough Act, 1968 (No. 2)*.



## CHAPTER 171

## An Act respecting the Township of Rayside

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the Township of Ray- Preamble  
side, herein called the Corporation, by its petition has  
prayed for special legislation in respect of the matters herein-  
after set forth; and whereas it is expedient to grant the prayer  
of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** The council of the Corporation is hereby authorized By-law  
to pass a by-law, without obtaining the approval of the  
Ontario Municipal Board, providing for the issue of deben-  
tures of the Corporation in a principal amount not exceeding  
\$45,000, payable in not more than twenty years, to defray  
the cost of the erection and equipping of an addition to the  
Azilda Public School situated in the said Township in the  
Sudbury District School Area No. 1.

**2.** Sections 55, 56, 57 and 58 of *The Ontario Municipal* Application  
of  
*Board Act* apply in respect of a by-law passed under section 1 R.S.O. 1960,  
c. 274,  
ss. 55-58  
and the debentures to be issued thereunder.

**3.** For the purposes of every Act, the Ontario Municipal Order of  
O.M.B.  
deemed  
made  
Board shall be deemed to have issued an order, under sec-  
tion 63 of *The Public Schools Act* and section 64 of *The Ontario* R.S.O. 1960,  
cc. 330, 274  
*Municipal Board Act*, authorizing The Public School Board  
of Sudbury District School Area No. 1 to proceed with the  
undertaking referred to in section 1 and authorizing the  
Corporation to issue debentures under section 1.

**4.** This Act comes into force on the day it receives Royal Commence-  
ment  
Assent.

**5.** This Act may be cited as *The Township of Rayside* Short title  
*Act, 1968.*



## CHAPTER 172

**An Act respecting the County of Renfrew**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the County of Renfrew <sup>Preamble</sup> by its petition has represented that on the 22nd day of June, 1965, it enacted By-law No. 2009 for the purpose of discontinuing the Cobden High School District and the Eganville High School District and of erecting the said two districts into one district under the name of the Cobden-Eganville High School District, as of the 1st day of January, 1965; that pursuant to such by-law the said Cobden High School District and Eganville High School District were discontinued and the new Cobden-Eganville District High School Board, herein called the Board, did assume and take over the properties, duties and management of the former two boards and did continue the operation of the schools under the jurisdiction of the two former boards and did enter into agreements looking to the erection of a new school for the new district, purported to have been formed under By-law No. 2009; that in June, 1967, the said By-law 2009 was adjudged by the Supreme Court of Ontario to be invalid, and that pursuant to *The Secondary Schools and Boards of Education Act*, <sup>R.S.O. 1960, c. 362</sup> The Corporation of the County of Renfrew has enacted By-law No. 2074 to establish the said Cobden-Eganville High School District, effective on the 1st day of January, 1967; and whereas the petitioner has prayed for special legislation to confirm and validate all actions and proceedings of the Board taken and executed during the period from the 1st day of January, 1965 to the 1st day of January, 1967; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** By-law No. 2009 of The Corporation of the County of Renfrew passed on the 22nd day of June, 1965 establishing the Cobden-Eganville High School District as set forth in the Schedule is hereby confirmed and declared to have been legal, valid and binding for and during the period from the 1st day of January, 1965 to the 1st day of January, 1967. <sup>By-law validated</sup>

**2.**

Actions  
validated

**2.** That all actions of the Board established under By-law 2009 properly taken are hereby validated.

Payment  
of moneys

**3.** That all moneys required to be raised by the Board under By-law 2009 and not yet paid shall be paid on or before the expiration of sixty days after this Act comes into force.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

Short title

**5.** This Act may be cited as *The County of Renfrew Act, 1968*.

## SCHEDULE

## COBDEN-EGANVILLE HIGH SCHOOL DISTRICT

SAVING AND EXCEPTING thereout and therefrom those lots and part lots which are assessed annually to the Eganville R.C. Continuation School District.

1. All the real property in the Village of Eganville.
2. All the real property in the Township of North Algona.
3. All the real property in the Township of South Algona.
4. All the real property in the Township of Sebastopol.
5. All the real property in the Township of Grattan.
6. Parts of the Township of Wilberforce described as follows:
  - Con. 1—Lots 1 to 5 inclusive
  - Con. 2—Lots 1 to 6 inclusive
  - Con. 3—Lots 1 to 7 inclusive
  - Con. 4—Lots 1 to 10 inclusive
  - Con. 5—Lots 1 to 15 inclusive
  - Con. 6—Lots 1 to 16 inclusive
  - Con. 7—Lots 1 to 16 inclusive
  - Con. 8—Lots 1 to 16 inclusive
  - Con. 9—Lots 6 to 22 inclusive
  - Con. 10—Lots 6 to 26 inclusive
  - Con. 11—Lots 6 to 27 inclusive
  - Con. 12—Lots 6 to 30 inclusive
  - Con. 13—Lots 6 to 36 inclusive
  - Con. 14—W  $\frac{1}{2}$  of Lot 1 to 36 inclusive
  - Con. 15—Lots 3 to 36 inclusive
  - Con. 16—Lots 3 to 36 inclusive
  - Con. 17—Lots 3 to 36 inclusive
  - Con. 18—Lots 4 to 36 inclusive
  - Con. 19—Lots 17 to 36 inclusive
  - Con. 20—Lots 22 to 36 inclusive
  - Con. 21—Lots 25 to 36 inclusive
  - Con. 22—Lots 29 to 36 inclusive
  - Con. 23—Lots 31 to 36 inclusive
  - Con. 24—Lots 28 to 36 inclusive
  - Con. 25—Lots 30 to 36 inclusive
  - Con. A—Lots 1 to 13 inclusive
  - Con. B—Lots 1 to 13 inclusive
  - Lake Dore Range—Lot A, lots 1 to 13 inclusive.
7. All real property in the Village of Cobden.
8. All real property in the Township of Ross.
9. Part of the Township of Stafford described as follows:
  - Con. 1—Lots 1 to 8 and S.  $\frac{1}{2}$  9
  - Con. 2—Lots 1 to 7 inclusive
  - Con. 3—Lots 1 to 6 and S.  $\frac{1}{2}$  Lot 7.
10. Part of the Township of Westmeath described as follows:
  - Con. I, W.M.L.—Lots 1 to 20 inclusive
  - Con. II, W.M.L.—Lots 1 to 20 inclusive
  - Con. I, E.M.L.—Lots 1 to 8 inclusive
  - Con. II, E.M.L.—Lots 1 to 8 inclusive



Con. III, E.M.L.—Lots 1 to 7 inclusive  
Con. IV, E.M.L.—Lots 1 and 2 inclusive  
Con. V, E.M.L.—Lots 1 and 2 inclusive  
Con. VI, E.M.L.—Lots 1 and 2 inclusive  
Con. VII, E.M.L.—Lots 1 and 2 inclusive  
Con. VIII, E.M.L.—Lots 1 and 2 inclusive  
Con. IX, E.M.L.—Lots 1 and 2 inclusive.

11. Part of the Township of Bromley described as follows:

Con. 1—Lots 7 to 30 inclusive  
Con. 2—Lots 7 to 30 inclusive  
Con. 3—Lots 7 to 30 inclusive  
Con. 4—Lots 7 to 30 inclusive  
Con. 5—Lots 7 to 30 inclusive  
Con. 6—Lots 7 to 30 inclusive  
Con. 7—Lots 8 to 29 inclusive  
Con. 8—Lots 9 to 22 inclusive.

## CHAPTER 173

**An Act respecting  
The Board of Trustees of the Combined  
Roman Catholic Separate Schools of Renfrew**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Board of Trustees of the Combined Preamble  
Roman Catholic Separate Schools of Renfrew by its  
petition has prayed for special legislation in respect of the  
matters hereinafter set forth; and whereas it is expedient  
to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** The Board of Trustees of the Combined Roman Catholic By-law  
authorized  
Separate Schools of Renfrew is hereby authorized to pass  
a by-law authorizing the borrowing of \$350,000, upon debentures of the Board, payable in not more than twenty years, to defray the cost of constructing and equipping eleven additional classrooms and for other expenses incidental thereto, and the said by-law when duly passed is legal, valid and binding upon the said Board and the ratepayers of the school zone.

**2.** Sections 55, 56, 57 and 58 of *The Ontario Municipal* Application  
of  
*Board Act* apply in respect of a by-law passed under section 1 R.S.O. 1960,  
c. 274,  
ss. 55-58  
and the debentures to be issued thereunder.

**3.** For the purposes of every Act, the Ontario Municipal Order of  
O.M.B.  
deemed  
issued  
R.S.O. 1960  
c. 274  
Board shall be deemed to have issued an order under section 64  
of *The Ontario Municipal Board Act* authorizing The Board  
of Trustees of the Combined Roman Catholic Separate  
Schools of Renfrew to undertake the constructing and equip-  
ping and to issue debentures under section 1.

**4.** This Act comes into force on the day it receives Royal Commence-  
ment  
Assent.

**5.** This Act may be cited as *The Board of Trustees of the* Short title  
*Combined Roman Catholic Separate Schools of Renfrew Act,*  
1968.



## CHAPTER 174

## An Act respecting the City of Sault Ste. Marie

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Sault Ste. Marie, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Where the Corporation has passed a by-law with the approval of the Ontario Municipal Board under paragraph 67 of section 377 of *The Municipal Act*, which provides that the capital cost or any part thereof, the annual rental payable under any lease or any operating deficit in the previous year shall be levied against specified parcels of land within a defined area and, subsequent to the effective date of the by-law imposing the levy, the council is of the opinion that,

Preamble

Parking  
levy  
changed  
to reflect  
changes in  
benefit to  
land  
R.S.O. 1960,  
c. 249

- (a) the special benefit derived therefrom by a parcel of land in the defined area has increased or decreased from that shown in the by-law;
- (b) a parcel of land in the defined area has begun to derive or has ceased to derive a special benefit therefrom; or
- (c) a parcel of land outside the defined area has begun to derive a special benefit therefrom,

the council may at any time and from time to time by a further by-law, passed with the approval of the Ontario Municipal Board,

- (d) redefine the area in the municipality that, in the opinion of the council, contains the lands that derive a special benefit from the by-law; or

(e)

- (e) reapportion the balance of the cost mentioned in subclause i of clause g of paragraph 67 of the said section 377, so that such cost shall be apportioned against each parcel of land that, in the opinion of the council, derives such special benefit.

Relief from  
parking  
require-  
ments

2.—(1) The Corporation may enter into an agreement with the owner or occupant of a building or structure to be erected or used providing for relief, to the extent set out in the agreement, from any requirement in any by-law of the Corporation for the provision or maintenance of parking facilities on land that is not part of a highway, and exempting such owner or occupant, to the extent specified in the agreement, from the necessity of providing or maintaining such facilities.

Agreements

(2) Every agreement referred to in subsection 1 shall,

- (a) be subject to the approval of the Ontario Municipal Board given either before or after the execution thereof; and
- (b) require the payment to the Corporation of a sum of money therein set out, either in a lump sum or by instalments, together with interest at a rate therein specified, and shall set forth the basis upon which the sum is computed.

Disposition  
of moneys

(3) All moneys paid or to be paid pursuant to an agreement referred to in subsection 1 shall be paid into a special account and may be invested in such securities as a trustee may invest in under *The Trustee Act*, and the earnings derived from the investment of such moneys shall be paid into such special account, and the moneys in such special account shall be expended for the same purposes and in the same manner as a reserve fund provided for in paragraph 67 of section 377 of *The Municipal Act*.

R.S.O. 1960,  
cc. 408, 249

Auditor's  
report

(4) The city auditor in his annual report shall report on the activities and position of any special account established under this section.

Upon  
registration  
of agree-  
ment,  
payments  
to be  
charged  
on lands

(5) Any such agreement may be registered against the land affected thereby in the proper registry or land titles office, and, when so registered, the amounts payable under such an agreement until paid shall be a lien or charge upon the lands described therein and may be collected in the same manner and with the same remedies as provided by *The Assessment Act* for the collection of real property taxes, and, upon payment in full of the moneys to be paid under the agreement or

R.S.O. 1960,  
c. 23



upon termination of the agreement, there shall be registered in the proper registry or land titles office against such lands a certificate from the clerk of the Corporation stating that the moneys to be paid under the agreement have been fully paid or that the agreement has been terminated.

3. The council of the Corporation shall be deemed to be a "council" within the meaning of subsection 1 of section 481 of *The Municipal Act* with respect to the geographic townships of Korah, Tarentorus, Parke and Awenge within the City of Sault Ste. Marie, and each by-law passed under the said section 481 is subject to the approval of the Ontario Municipal Board.

Opening up  
highways  
where  
5 per cent  
reserved  
R.S.O. 1960  
c. 249

4. Notwithstanding clause *a* of paragraph 50 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass a by-law to repeal a by-law that provides by means of taxation for the establishment and maintenance of a fund for the support and aid of a civilian band or bands of music and for making annual or other grants from such fund to any civilian band or bands or to the members thereof, and, when so enacted by the council, such repealing by-law shall be final and conclusive and shall not require the assent of the electors qualified to vote on money by-laws.

Bands of  
music

5.—(1) The lands acquired by The Board of Education for the City of Sault Ste. Marie and described in the Schedule shall be deemed to have been acquired under the authority of section 65 of *The Schools Administration Act*.

Acquisition  
of lands  
for school  
sites

R.S.O. 1960,  
c. 361

(2) The council of the Corporation may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$186,370, payable in not more than twenty years, for the purpose of paying the total purchase price of the said lands referred to in subsection 1.

Debenture  
by-law  
authorized

(3) Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under subsection 2 and the debentures to be issued thereunder.

Applica-  
tion of  
R.S.O. 1960  
c. 274

(4) For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 64 of *The Ontario Municipal Board Act* authorizing The Board of Education for the City of Sault Ste. Marie to acquire the lands referred to in subsection 1 and to pay the total purchase price therefor referred to in subsection 2 and authorizing the Corporation to issue a debenture or debentures under subsection 2.

By-law  
deemed  
approved  
by O.M.B.

Commence-  
ment

**6.** This Act comes into force on the day it receives Royal Assent.

Short title

**7.** This Act may be cited as *The City of Sault Ste. Marie Act, 1968*.

## SCHEDULE

1. All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Sault Ste. Marie, in the District of Algoma and Province of Ontario, formerly in the Township of Tarentorus in the said District, and being composed of lots 128 to 137, both inclusive, in the Manitou Park Subdivision, according to a plan of the said subdivision registered in the Registry Office for the Registry Division of Algoma as Plan No. 3787.

2. All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of St. Mary (now in the City of Sault Ste. Marie), in the District of Algoma, and being composed of part of Section 6 in the said Township, containing an area of 4.541 acres, be the same more or less, and which parcel or tract of land may be more particularly described as follows:

PREMISING that the northwesterly limit of Bruce Street has an assumed bearing of North 47 degrees, 53 minutes, 10 seconds East and relating all bearings herein, thereto.

COMMENCING where a survey post has been planted at most northerly angle of the herein-described parcel, and being distant 63.00 feet measured South 42 degrees, 16 minutes, 10 seconds East along the southwesterly limit of the Canadian Pacific Railway right-of-way from the northeasterly angle of Lot 66 in the Leys "A" Subdivision, as shown on Registered Plan No. 8450.

THENCE continuing South 42 degrees, 16 minutes, 10 seconds East and along the southwesterly limit of the Canadian Pacific Railway right-of-way a distance of 788.05 feet, more or less, to a survey post planted at the intersection of the last-mentioned limit with the southwesterly limit of the Canadian Pacific Railway spur-line right-of-way.

THENCE on a curve to the right having a radius of 468.34 feet, an arc distance of 24.43 feet, the chord equivalent being 24.42 feet measured South 17 degrees, 04 minutes, 29 seconds East to the end of said curve.

THENCE South 15 degrees, 34 minutes, 50 seconds East and along the southwesterly limit of the Canadian Pacific Railway spur-line right-of-way a distance of 139.84 feet, to the beginning of a curve.

THENCE on a curve to the left having a radius of 488.34 feet, an arc distance of 167.01 feet, the chord equivalent being 166.20 feet measured South 25 degrees, 22 minutes, 42 seconds East to a survey post planted therein.

THENCE South 47 degrees, 53 minutes, 10 seconds West and parallel to the northwesterly limit of Bruce Street, 177.77 feet, more or less, to a survey post planted therein.

THENCE North 42 degrees, 08 minutes, 20 seconds West and parallel to the northeasterly limit of Wellington Street a distance of 559.75 feet to a point therein.

THENCE North 47 degrees, 22 minutes East and parallel to the southeasterly limit of Tancred Street a distance of 200.51 feet to a point therein.

THENCE North 42 degrees, 08 minutes, 20 seconds West and parallel to the northeasterly limit of Wellington Street a distance of 532.65 feet to a survey post planted in the southeasterly limit of Tancred Street.

THENCE North 47 degrees, 40 minutes, 30 seconds East and along the southeasterly limit of Tancred Street 96.36 feet, more or less, to the point of commencement.

3. All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Sault Ste. Marie, in the District of Algoma, and being composed of part of the South  $\frac{1}{2}$  of Broken Section 32 in the Township of Tarentorus (now in the said City of Sault Ste. Marie), containing an area of 8.145 acres, be the same more or less, and which parcel or tract of land may be more particularly described as follows:

PREMISING that the centre line of Northern Avenue has an assumed bearing of North 89 degrees, 59 minutes, 30 seconds East and relating all bearings herein thereto.

COMMENCING where a survey post has been planted in the southern limit of Broken Section 32, said post defining the southeastern angle of the Elm Park Subdivision "A" and being distant the following courses from the southwestern angle of said Broken Section 32; beginning at said southwestern angle of Broken Section.

THENCE South 89 degrees, 26 minutes, 20 seconds East along the southern limit thereof a distance of 1158.0 feet to the southwestern angle of said Elm Park Subdivision "A".

THENCE South 89 degrees, 36 minutes East, continuing along said southern limit of Broken Section a further distance of 1106.0 feet to the said point of commencement.

THENCE North 89 degrees, 59 minutes, 30 seconds East, continuing along said southern limit of Broken Section (being also along the northern limit of Northern Avenue), a further distance of 354.4 feet to a survey post planted therein.

THENCE North 30 seconds West, 175.0 feet to a survey post planted.

THENCE North 89 degrees, 59 minutes, 30 seconds East 25.0 feet to a survey post planted.

THENCE North 11 degrees, 40 seconds East, 323.15 feet to a survey post planted.

THENCE South 78 degrees, 59 minutes, 20 seconds East, 125.0 feet to a survey post planted.

THENCE North 11 degrees, 40 seconds East, 20.0 feet to a survey post planted.

THENCE North 78 degrees, 59 minutes, 20 seconds West, 125.0 feet to a survey post planted.

THENCE North 11 degrees, 40 seconds East, 328.96 feet, more or less, to a survey post planted in the northern limit of said South  $\frac{1}{2}$  of Broken Section 32.

THENCE South 89 degrees, 26 minutes West thereon, 504.4 feet to a survey post planted therein.

THENCE South 18 minutes West, 687.77 feet to a survey post planted.

THENCE South 5 minutes East (and being along the eastern limit of said Elm Park "A" Subdivision), 142.0 feet to the said point of commencement.

## CHAPTER 175

## An Act respecting the Town of Smith's Falls

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the Town of Smith's <sup>Preamble</sup>  
Falls, sometimes known as the Town of Smiths Falls,  
herein called the Corporation, by its petition has represented  
that, according to local usage and custom, the name of  
the Corporation has been spelled Town of Smiths Falls  
without an apostrophe for a great many years; and whereas  
the petitioner has prayed for special legislation enacting that  
in future the Corporation shall be known as the Town of  
Smiths Falls;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

- 1.** The name of the Town of Smith's Falls, sometimes <sup>Name</sup>  
known as the Town of Smiths Falls, shall be deemed to be the  
Town of Smiths Falls.
- 2.** No by-laws, contracts, debentures, instruments or other <sup>Validation</sup>  
acts or proceedings heretofore entered into by the Corporation <sup>of past</sup>  
before this Act comes into force are invalid for the reason only  
that the name by which they were entered into was spelled as  
the "Town of Smith's Falls" with an apostrophe or the "Town  
of Smiths Falls" without an apostrophe.
- 3.** This Act comes into force on the day it receives Royal <sup>Commence-</sup>  
Assent. <sup>ment</sup>
- 4.** This Act may be cited as *The Town of Smiths Falls Act*, <sup>Short title</sup>  
1968.





## CHAPTER 176

## An Act respecting the City of Toronto

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Toronto, Preamble  
herein called the Corporation, by its petition has  
prayed for special legislation in respect of the matters herein-  
after set forth; and whereas it is expedient to grant the  
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. The lands in the City of Toronto being composed of: Lands  
vested  
in the  
Corporation  
free of  
trust

All that Parcel or Tract of land, situate in the County of  
York and Province of Ontario, containing by admeasurement  
two acres and three quarters, be the same more or less, being  
composed of all that parcel or tract of land, in the aforesaid  
City of Toronto, known as Clarence Square, being a portion  
of the Tract formerly designated the Garrison Reserve, as  
shewn upon a map of survey by Deputy Provincial Surveyor  
William Hawkins, dated 18th February, 1837, deposited in  
the Crown Land Department;

heretofore given and granted "unto the Mayor and Corpora-  
tion of the City of Toronto in the County of York, in trust,  
as a Public Square for ever" by Her late Majesty Queen  
Victoria by instrument dated the 19th day of March, 1860,  
are hereby vested in the Corporation in fee simple, clear of  
and free from all right, title and interest other than that of  
the Corporation, and the beforementioned trust and the  
conditions created by such instrument are hereby annulled.

2. Notwithstanding the provisions of *The Insurance Act* Fire  
Department  
Pension  
Fund  
or any other general or special Act, the Toronto Fire Depart-  
ment Superannuation and Benefit Fund created by and deemed not  
a fraternal  
society  
subsisting under By-law No. 10649 of the Corporation,  
passed the 14th day of December, 1925, as validated by section  
7 of *The City of Toronto Act, 1932* and as amended from time R.S.O. 1960,  
c. 190  
1932, c. 93  
to time, shall be deemed not to be a fraternal society for the  
purposes of *The Insurance Act*.

1961-62,  
c. 171, s. 1,  
amended

**3.** Section 1 of *The City of Toronto Act, 1961-62* is amended by adding thereto the following subsection:

Collection  
of charges

(4a) A charge imposed by a by-law passed under this section may be collected when the building has been erected or at any time after the expiration of a period of two years next following the date of issue of the building permit, whichever first occurs, and subsection 3 applies *mutatis mutandis* to any such charge.

Estimates  
adopted in  
preceding  
year

R.S.O. 1960,  
c. 249

**4.**—(1) Notwithstanding anything in any general or special Act, the council of the Corporation may by by-law provide that the estimates of all sums required during any year for the purposes of the Corporation as set forth in section 297 of *The Municipal Act* may be prepared and adopted in the next preceding year except when such next preceding year is a year in which a regular periodic election is held for election of candidates for council, and may provide by any such by-law or by another by-law that the estimates of every board, commission or other body for which the council is required by law to levy any rate or provide money, for the year for which the Corporation's estimates are to be so adopted, shall be submitted to the council not later than the 1st day of December in the next preceding year.

Time for  
passing  
by-law

(2) Any by-law passed under subsection 1 shall be passed not later than the 1st day of October in the year in which the by-law takes effect and shall remain in force from year to year until repealed.

Exception

R.S.O. 1960,  
c. 260

(3) A by-law passed under subsection 1 requiring the estimates of the boards, commissions or other bodies therein referred to to be submitted before the 1st day of December in the year in which the Corporation's estimates are to be prepared and adopted shall not apply to estimates submitted under subsection 4 of section 139 of *The Municipality of Metropolitan Toronto Act*.

Accounts of  
Local Board  
of Health  
R.S.O. 1960,  
c. 321

**5.** Notwithstanding section 21 of *The Public Health Act*, the treasurer of the Corporation may pay any account referred to in subsection 1 of the said section 21 without a resolution of the Local Board of Health of the City of Toronto approving such account but the treasurer shall, from time to time, furnish the Local Board of Health with a list of the accounts so paid.

Treasurer  
may sign  
cheques  
R.S.O. 1960,  
c. 249,  
s. 220,  
subs. 1

**6.** Notwithstanding subsection 1 of section 220 of *The Municipal Act*, the council of the Corporation may provide by by-law that cheques issued by the treasurer of the Corporation shall be signed by him or by some other person on

his behalf and in his stead, provided that the treasurer or other person so signing has satisfied himself before signing that the issue thereof is authorized, and no signature by any other person shall be required.

7. Subsection 10 of section 2 of *The City of Toronto Act*, <sup>1909,</sup>  
*1909*, as enacted by section 4 of *The City of Toronto Act No. 2*, <sup>c. 125, s. 2,</sup>  
*1931*, is repealed. <sup>subs. 10</sup>  
<sup>(1931,</sup>  
<sup>c. 131, s. 4),</sup>  
<sup>repealed</sup>

8. The council of the Corporation may by by-law provide <sup>Protection</sup>  
that any water supplied or made available for any land or <sup>services</sup>  
building for the purposes of protection of property or persons  
from fire or for preventing fires or the spreading of fires  
shall not be used for any other purpose, and may impose  
penalties not exceeding \$500 recoverable under *The Summary* <sup>R.S.O. 1960,</sup>  
*Convictions Act* for contravention of any of the provisions of <sup>c. 387</sup>  
such by-law.

9. This Act comes into force on the day it receives Royal <sup>Commence-</sup>  
Assent. <sup>ment</sup>

10. This Act may be cited as *The City of Toronto Act, 1968*. <sup>Short title</sup>





## CHAPTER 177

**An Act respecting The Toronto City Mission**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS Gordon V. Crofoot, Edward S. Fish, J. A. Northey, Harold D. Poole, Lawrence M. Stark, Ivy M. Bunt and Marjorie E. Finch by their petition have represented that The Toronto City Mission, hereinafter called the Corporation, was incorporated by letters patent, dated the 3rd day of December, 1910, as a corporation without share capital having religious, philosophical and charitable objects; that the Provincial Secretary by Order, dated the 28th day of November, 1955, made under the authority of subsection 2 of section 325 of *The Corporations Act, 1953*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 2nd day of January, 1956; that both before its incorporation and after its dissolution The Toronto City Mission carried on its religious, philosophical and charitable undertakings as an unincorporated association, in the name of "The Toronto City Mission" which name and style has been used continuously by the petitioners or their predecessors since A.D. 1890; that the petitioners were all the directors of the Corporation at the time of its dissolution and since its dissolution have carried on the Corporation's religious, philosophical and charitable undertakings as an unincorporated association named "The Toronto City Mission"; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act* was not received by any of them and none of them was aware of the dissolution of the Corporation until more than ten years after the date thereof; and the Corporation at the time of its dissolution was actively carrying on its affairs and was the owner of real and personal property in the Province of Ontario; and whereas the petitioners have prayed for special legislation reviving the Corporation and altering the quorum of its Board of Directors; and whereas it is expedient to grant the prayer of the petition;

Preamble  
R.S.O. 1960,  
c. 71

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Corporation  
revived

**1.—(1)** The Toronto City Mission incorporated by letters patent dated the 3rd day of December, 1910 is hereby revived and is declared to be a subsisting Corporation and shall be deemed to have been a subsisting Corporation since its incorporation in the same manner and to the same extent as if it had not been dissolved.

Vesting of  
property

(2) All property, both real and personal, vested in the said Corporation being The Toronto City Mission at the date of its dissolution which has not since been disposed of by the unincorporated association known as The Toronto City Mission and all property, both real and personal, now vested in the unincorporated association known as The Toronto City Mission is hereby vested in the said Corporation.

Exemption  
from filing  
annual  
returns  
R.S.O. 1960,  
c. 72

(3) The Corporation is exempt from the requirements of section 3 of *The Corporations Information Act*, or any predecessor thereof, in respect of annual returns required to be filed for the years 1911 to 1965, both inclusive.

Quorum

**2.** Two-fifths of the members of the Board of Directors of the Corporation constitute a quorum of the Board.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Toronto City Mission Act, 1968*.

## CHAPTER 178

**An Act respecting the Trustees of the  
Toronto General Burying Grounds**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS the Trustees of the Toronto General Burying Grounds by its petition has represented that it is a body corporate empowered by *The Toronto General Burying Grounds Act, 1925* to acquire and hold lands for its purposes within the County of York; that, because of the expansion of the metropolitan area of Toronto beyond the easterly and westerly limits of the southerly townships in the County of York, lands beyond the limits of the County of York may be required for such purposes; and whereas the petitioner has prayed for special legislation relating thereto; and whereas it is expedient to grant the prayer of the petition;

Preamble

1925, c. 132

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The Trustees of the Toronto General Burying Grounds may acquire and hold lands within the limits of the Township of Pickering in the County of Ontario and within the limits of the Town of Mississauga and the Township of Toronto Gore in the County of Peel and may exercise all its corporate powers with reference thereto.

Power  
to acquire  
lands

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Toronto General Burying Grounds Act, 1968*.

Short title



## CHAPTER 179

**An Act respecting the Township of Vaughan**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the Township of Vaughan, herein called the Township, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** All street lighting areas in the Township heretofore created by a by-law passed under the authority of section 85 of *The Power Commission Act*, or a predecessor thereof, shall be deemed to have been validly created by a by-law passed under the authority of paragraph 52 of subsection 1 of section 379 of *The Municipal Act*.

Street  
lighting  
areas  
confirmed

R.S.O. 1960,  
cc. 249, 300

**2.** The Township may, without petition and without the assent of electors, pass by-laws to enlarge, reduce, dissolve or amalgamate any street lighting areas in the Township created by a by-law passed under section 85 of *The Power Commission Act*.

By-laws  
re street  
lighting  
areas

**3.** The Township may, without petition and without the assent of the electors, pass a by-law to provide that the cost of managing and maintaining the street lighting works in any street lighting area in the Township and the cost of power supplied for such street lighting shall be assessed and levied on the rateable property in the area or provide that such part of the cost as the council of the Township deems proper shall be paid by the Township, and that the remainder of the cost shall be assessed and levied on the rateable property in the area or provide that the entire cost shall be paid by the Township.

Mainten-  
ance

**4.** The lands described in the Schedule are designated as the Kleinburg Sewer Area.

Kleinburg  
Sewer  
Area



Persons  
deemed  
users

5. An owner or occupant of lands that are situate in the Kleinburg Sewer Area and that front or abut upon a sanitary sewer main shall be deemed to be a user of the sewage works for the purposes of a by-law passed under subsection 15 of section 380 of *The Municipal Act*.

R.S.O. 1960,  
c. 249

Commence-  
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. This Act may be cited as *The Township of Vaughan Act, 1968*.

## SCHEDULE

The lands situate in the Township of Vaughan in the County of York, being:

*Firstly:*

All of the lands contained in Plan 6087 filed in the Registry Office for Registry Division of the East and West Riding of the County of York.

*Secondly:*

Those parts of Lot 23 in the Eighth Concession described in registered instruments 31784 Vaughan and 48427 Vaughan.

*Thirdly:*

That part of Lot 21 in the Eighth Concession as described in registered instrument 56970 Vaughan.



## CHAPTER 180

## An Act respecting Walbi Holdings Limited

*Assented to April 11th, 1968*  
*Session Prorogued July 23rd, 1968*

**W**HEREAS Jeanny Bick, Bessie E. Hallatt, Theodore I. Sherman and Jack Sydney Midanik by their petition have represented that Walbi Holdings Limited, herein called the Corporation, was incorporated by letters patent dated the 10th day of January, 1964; that the Provincial Secretary, by order dated the 20th day of December, 1967 and made under the authority of section 327 of *The Corporations Act*, accepted the surrender of the charter of the Corporation and declared that the Corporation be dissolved on the 12th day of February, 1968; that the petitioners were all the directors of the Corporation and represented the holders of all of the common shares of the Corporation at the time of the acceptance of the surrender of the charter of the Corporation; that subsequent to the making of the said order by the Provincial Secretary assessments were made against the Corporation for corporation tax under *The Corporations Tax Act*; that the petitioners desire that any liability for tax be determined on the merits; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

Preamble  
R.S.O. 1960,  
cc. 71, 73

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Walbi Holdings Limited, incorporated by letters patent dated the 10th day of January, 1964, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date fixed in the said order for its dissolution, and declared to be a subsisting corporation since its incorporation in the same manner and to the same extent as if it had not been dissolved.

Revival

(2) This Act does not affect any liability to which the persons who were shareholders of Walbi Holdings Limited at the time of its dissolution would be subject if this Act had not been passed.

Liability of  
shareholders

Change of  
name

**2.** The name of the Corporation is changed to H. B. S. M. Holdings Limited.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The H. B. S. M. Holdings Limited Act, 1968*.



## CHAPTER 181

## An Act respecting the City of Welland

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Welland by <sup>Preamble</sup> its petition has represented that it is desirous of providing for the establishment of a Parks and Recreation Board, herein called the Board, for the better development and supervision of its public parks, community centres and recreation facilities, and, that for such purposes, it is necessary to endow the Board with all the duties, responsibilities, powers and privileges of The Board of Park Management of the City of Welland, established under *The Public Parks Act*, the Welland Recreation Committee, established under <sup>R.S.O. 1960 cc. 329, 94, 60</sup> *The Department of Education Act*, and the community centre board of management, established under *The Community Centres Act* for every community centre owned solely by The Corporation of the City of Welland except the Centennial Youth Arena; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "Council" means the council of The Corporation of the City of Welland. <sup>Interpre-</sup>

2.—(1) Notwithstanding *The Department of Education Act* <sup>Parks and Recreation Board</sup> and the regulations thereunder, *The Public Parks Act* and *The Community Centres Act* and the regulations thereunder, there shall be a board, to be known as the Parks and Recreation Board of the City of Welland, which shall be composed of,

- (a) three members of the Council to be appointed by the Council; and
- (b) six persons, appointed by the Council, who are qualified to be elected members of Council but who are not members thereof.

First  
appoint-  
ment

(2) The members of the Board shall hold office for one year, but, on the first appointment, the members shall hold office until the end of that calendar year.

Term of  
office

(3) The members of the Board shall hold office until their successors are appointed and are eligible for re-appointment.

## Vacancy

(4) Where a member of the Board ceases to be a member before the expiration of his term, the Council shall appoint another qualified person for the unexpired portion of his term.

## Quorum

(5) A majority of the members of the Board constitutes a quorum.

Chairman  
and vice-  
chairman

(6) At its first meeting of every year, the Board shall elect a chairman and a vice-chairman from among the members of the Board, and, in the absence of the chairman, the vice-chairman shall preside at meetings of the Board.

Secretary-  
treasurer

(7) The Board shall appoint a secretary-treasurer, who may be a member of the Board.

Powers and  
duties of  
Board  
R.S.O. 1960,  
cc. 94, 60,  
329

3. Except as otherwise provided in this Act, *The Department of Education Act* and the regulations thereunder, *The Community Centres Act* and the regulations thereunder and *The Public Parks Act*, except the provisions constituting a board of park management as a corporation and authorizing such a board to acquire and hold land, apply to the Board as if it had been established in accordance with such Acts and regulations.

Dissolution  
of former  
boards

4. When the Board is constituted,

(a) the Welland Recreation Committee, The Board of Park Management of the City of Welland and the community centre board of management of every community centre owned solely by The Corporation of the City of Welland except the Centennial Youth Arena are dissolved, and the assets and liabilities of such committee and boards become the assets and liabilities of the City of Welland; and

(b) By-law No. 371 of the Town of Welland and by-laws Nos. 1598, 2849, 3834 and 4424 of the City of Welland and any by-laws amending such by-laws are repealed.

**5.** The Board may contract and may sue and be sued in its own name, and the members thereof are not personally liable for torts committed by other members of the Board or its servants or agents or on any contract made by the Board.

Power  
to contract  
and sue

**6.** The Board may expend moneys received from the Council only in accordance with the budget of the Board as approved from time to time by the Council, and any funds received by the Board for a specific purpose may be used by the Board only for such specific purpose.

Expendi-  
tures by  
Board

**7.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**8.** This Act may be cited as *The City of Welland Act, 1968*.

Short title



## CHAPTER 182

### An Act respecting the County of Welland

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the County of Welland <sup>Preamble</sup> by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The Corporation of the County of Welland, The Corporation of the City of Welland, The Corporation of the City of Niagara Falls and The Corporation of the City of Port Colborne are hereby authorized and empowered to enter into the agreement set forth as the Schedule hereto and are authorized and empowered to carry out and perform the terms thereof. <sup>Agreement authorized</sup>

**2.** This Act comes into force on the day it receives Royal Assent. <sup>Commencement</sup>

**3.** This Act may be cited as *The County of Welland Act*, <sup>Short title</sup> 1968.



## SCHEDULE

THIS AGREEMENT made in quadruplicate this twenty-sixth day of January, 1968.

BETWEEN:

THE CORPORATION OF THE COUNTY OF WELLAND,

hereinafter referred to as "the County",

OF THE FIRST PART,

THE CORPORATION OF THE CITY OF WELLAND,

THE CORPORATION OF THE CITY OF PORT COLBORNE and

THE CORPORATION OF THE CITY OF NIAGARA FALLS,

hereinafter referred to as "the Cities",

OF THE SECOND PART,

— and —

THE WELLAND DISTRICT ASSOCIATION FOR RETARDED INCORPORATED,  
PORT COLBORNE DISTRICT ASSOCIATION FOR MENTALLY RETARDED  
INCORPORATED,

THE PEACE BRIDGE AREA ASSOCIATION FOR MENTALLY RETARDED  
and

GREATER NIAGARA ASSOCIATION FOR THE MENTALLY RETARDED,

hereinafter referred to as "the approved corporations",

OF THE THIRD PART.

WHEREAS the parties of the second part are separated cities from the county, but are within its territorial boundaries;

AND WHEREAS the parties of the third part are approved corporations within the meaning of *The Homes for Retarded Persons Act, 1966*, chapter 65, and their area of operation extends over the whole of the county and the cities;

AND WHEREAS the approved corporations intend to maintain and operate homes for retarded persons, as provided by the said Act, and it is desirable that the homes should be made available to all the citizens of the county and of the cities, so far as facilities are available;

AND WHEREAS, pursuant to the said Act, the Province of Ontario makes certain payments to the approved corporations towards the cost of a new building or of an addition to an existing building or to the acquisition of a building, and of the cost of the approved corporations providing residential accommodation for persons residing in an approved home;

AND WHEREAS the approved corporations require further financial assistance towards the cost of a new building or of an addition to an existing building or to the acquisition of a building, and of the cost of providing residential accommodation for persons residing in an approved home;

AND WHEREAS the county and the cities have agreed, subject to the provisions herein contained, to grant financial assistance towards the cost of a new building or of an addition to an existing building or to the acquisition of a building, by the payment of the actual cost less the payments made by the Province under the provisions of the said Act;

AND

AND WHEREAS the county and the cities have agreed, subject to the provisions herein contained, to grant financial assistance for providing residential accommodations for persons residing in an approved home, by the payment of an amount equal to 15% of the net cost of providing the residential accommodations as determined under the provisions of the said Act;

NOW THEREFORE, in consideration of the covenants and agreements herein contained, it is hereby covenanted and agreed by and between the Parties hereto as follows:

1. The parties hereto shall appoint a co-ordinating committee to be known as "The Welland County Homes for Retarded Persons Co-ordinating Committee", and hereinafter referred to as "the Committee", which shall be composed of not more than 12, and not fewer than 10 members, who shall be appointed as follows:

- (a) each approved corporation shall appoint one member;
- (b) the county and each city shall appoint at least one member, who may be a member of the council;

but, if the county or a city contributes not less than 25 per cent but not more than 38 per cent of the total annual contributions to be made by the county and the cities as hereinafter provided, then the county or that city shall appoint two members; if the county or a city contributes more than 38 per cent of the said total amount, then the county or that city shall appoint three members; the percentages to be determined by the contributions made in the previous year.

The appointments made by the county and cities shall be for one year or until a successor is appointed, and shall be made by the county council and the council of each city at its first business meeting of each year. The Social Services Administrator of the county shall be the secretary of the committee. The said committee shall meet on the last Monday of January in each year, and at such other times as may be required.

2. Each of the approved corporations shall, on or before the second last Monday of January in each year, submit to the committee a copy of its financial statement for the previous year as computed according to the regulations of the said Act, and a statement of its estimated capital expenditures, which have been approved by the county and the cities as provided in paragraph 5, to be made during that year, and the estimated costs of providing residential accommodation for persons residing in the approved homes that are maintained and operated by the approved societies, and showing the estimated revenue from the Province of Ontario and any other source.
3. The said committee shall,
  - (a) co-ordinate the operation of the approved homes, so that the total facilities may be used to the best advantage, and be available, so far as they permit, to all the retarded persons who have resided in the county or the cities for at least twelve months;
  - (b) upon the receipt of the statement and the estimates from each approved corporation referred to in paragraph 2, review the same, making, subject to the said Act and regulations, whatever recommendations and revisions to the estimates which they deem necessary, and shall compute, according to the formula herein recited, the sums to be paid by the county and the cities for capital expenditures and for providing residential accommodations;
  - (c) send to the county and to each of the cities, on or before the 28th day of February in each year, a copy of the statements for the previous year and of the estimates as approved by it and showing the total estimated sum for that year required by all

the approved corporations for capital expenditures, as previously approved in paragraph 5, and for providing residential accommodation for persons residing in the approved homes, and the amount to be granted by the county and each of the cities. The estimates must be approved by at least two-thirds of the members of the committee appointed by the county and the cities.

4. The county and each of the cities shall each year grant to the committee that proportion of the total estimates as approved under clause c of paragraph 3, equal to the average of the proportion that the population of the county or of each city as listed in the Municipal Directory of Ontario for the previous year, bears to the total population of the county and the three cities as so listed, and the proportion that the total taxable assessment of the county and each of the cities as listed in the aforesaid Municipal Directory for the year previous bears to the total taxable assessment of the county and the three cities, and the treasurer of the county and of each city is hereby authorized and directed to make payments to the said committee of one quarter of the said sum payable by the county and each city on the first days of March, June, September and December in each year.
5. No one of the approved corporations shall erect a new building or an addition to an existing building or purchase or otherwise acquire any building to be maintained and operated as a home for retarded persons, part of the cost of which is expected to be contributed by the county and the cities, without first obtaining the approval in writing of the county and the cities, and no such approved corporation shall change the site of, sell or otherwise dispose of any part of any approved home in respect of which the approved corporation has received payment of a grant from the county or the cities without the approval in writing of the county and the cities.
6. In the event of the erection of a new building or of an addition to an existing building or the purchase of a building (which has been approved under the provisions of paragraph 5) requiring that the cost to the county and the cities be spread over a period of years, and that for this purpose debentures be issued, the said debentures shall, subject to the approval of the Municipal Board, be issued by the county, and the costs of issuing and retiring the same shall be included in the amounts to be paid each year.
7. This agreement upon approval in writing of the Minister of Social and Family Services, and the enactment of enabling legislation, shall be deemed to have come into force on the first day of January, 1968, and shall continue in force until the 31st day of December, 1971, and thereafter from year to year, unless any one of the parties hereto shall, with the approval of the Minister of Social and Family Services, give notice in writing addressed to all the other parties, prior to the first day of July, requiring this agreement to be terminated on the 31st day of December in that year.
8. In the event of any dispute between the parties hereto as to the operation or interpretation of this agreement the same shall be determined by the Senior Judge of the County of Welland.
9. The County of Welland shall apply for enabling legislation and the cities shall support the said application.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their Corporate Seal.

SEALED AND DELIVERED and countersigned by the Warden and the Clerk of the Corporation of the County of Welland, the Mayor and the Clerk of the Corporation of the City of Welland, the Mayor and the Clerk of the Corporation of the City of Niagara Falls, and the Mayor and the Clerk of the Corporation of the City of Port Colborne, and by the proper signing officers of the Parties of the Third Part.

THE CORPORATION OF THE COUNTY OF  
WELLAND:

.....  
*Warden*

.....  
*Clerk*

THE CORPORATION OF THE CITY OF  
WELLAND:

.....  
*Mayor*

.....  
*Clerk*

THE CORPORATION OF THE CITY OF  
NIAGARA FALLS:

.....  
*Mayor*

.....  
*Clerk*

THE CORPORATION OF THE CITY OF  
PORT COLBORNE:

.....  
*Mayor*

.....  
*Clerk*

THE WELLAND DISTRICT ASSOCIATION  
FOR RETARDED INCORPORATED:

.....  
.....

PORT COLBORNE DISTRICT ASSOCIATION  
FOR MENTALLY RETARDED  
INCORPORATED:

.....  
.....

THE PEACE BRIDGE AREA ASSOCIATION  
FOR MENTALLY RETARDED:

.....  
.....

GREATER NIAGARA ASSOCIATION FOR  
THE MENTALLY RETARDED:

.....  
.....





## CHAPTER 183

## An Act respecting the City of Windsor

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS The Corporation of the City of Windsor, <sup>Preamble</sup> herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *a* of subsection 1 of section 4 of *The City of Windsor Act, 1958* <sup>1958, c. 166, s. 4, subs. 1, cl. 4, amended</sup> is amended by striking out “is used or intended for use” in the third line and inserting in lieu thereof “has been used, is used or intended for use or is capable of being used”, so that the clause shall read as follows:

(a) “dwelling” means and includes any building, tent, trailer or other covering or structure, the whole or any portion of which has been used, is used or intended for use or is capable of being used for the purpose of human habitation, with the land and premises appurtenant thereto, and all out-buildings, fences or erections thereon or therein whether heretofore or hereafter erected.

(2) Subsection 2 of the said section 4 is amended by <sup>1958, c. 166, s. 4, subs. 2, amended</sup> inserting after “demolish” in the fourth line “dwellings or” by inserting after “standard,” in the sixth line “and, in connection with such demolition, to clear the land and leave the land in a graded and levelled condition”, and by inserting after “use” in the sixth line “renting or offering for rent”, so that the subsection shall read as follows:

(2) The council of the Corporation may pass by-laws <sup>Standard of fitness of dwelling</sup> for fixing a standard of fitness for human habitation to which all dwellings shall conform, for requiring the owners of dwellings to make them conform to the standard or to demolish dwellings or buildings,

structures or erections forming part of dwellings which do not conform to the standard, and, in connection with such demolition, to clear the land and leave the land in a graded and levelled condition, for prohibiting the use, renting or offering for rent of dwellings which do not conform to the standard, for authorizing the placarding in such manner as the by-law may specify of dwellings which do not conform to the standard, and prohibiting the pulling down or defacing of any such placard, for governing and regulating persons in the use and occupancy of dwellings and for appointing a tribunal or inspectors, or both a tribunal and inspectors, for the administration and enforcement of the by-laws.

1958,  
c. 166, s. 4,  
amended

(3) The said section 4 is amended by adding thereto the following subsections:

Orders

(2a) The council of the Corporation may pass by-laws,

- (a) for authorizing the making of orders for the purpose of enforcing the provisions of any by-law passed under subsection 2, for prescribing and regulating the form and content of orders, the practice and procedure in relation thereto and appeals therefrom;
- (b) for authorizing the registration of orders in the proper registry office or land titles office and providing for the discharge thereof when the requirements of the orders have been satisfied;
- (c) for requiring persons who sell, mortgage or lease dwellings in respect of which an order has been served to furnish any proposed purchaser, mortgagee or lessee with a true copy of such order; and
- (d) for authorizing the owners of dwellings to enter and repair a dwelling pursuant to an order notwithstanding the provisions of *The Landlord and Tenant Act* or anything contained in any lease or agreement pursuant to which possession of the dwelling has been given to another person.

R.S.O. 1960,  
c. 206

Appeal to  
board of  
review

(2b) Any person affected by an order made under subsection 2a who feels aggrieved thereby may appeal the order to a board of review established by by-law of the Corporation by giving notice of the appeal

in writing to the clerk of the Corporation within ten days after service of the order on him and the board of review shall hear the appeal and may confirm, modify or discharge the order.

- (2c) Any person or corporation affected by a decision of the board of review may appeal the decision to a <sup>Appeal to county court judge</sup> judge of the county court of the County of Essex by so notifying the clerk of the Corporation in writing and by applying for an appointment within ten days after notice of the decision has been given, and,

(a) the judge shall, in writing, appoint a day, time and place for the hearing of the appeal and in his appointment may direct that it shall be served upon such persons and in such manner as he prescribes;

(b) the appointment shall be served in the manner prescribed at least one month before the day appointed for the hearing of the appeal; and

(c) the judge on such appeal has the same powers and functions as the board of review.

- (2d) Where there is a conflict between subsections 2a and 2b and the provisions of the by-law of the Corporation ratified and confirmed by subsection 10 of section 4 of *The City of Windsor Act, 1958*, subsections 2b and 2c shall prevail. <sup>By-law subject to subss. 2b and 2c</sup> 1958, c. 166

(4) Subsection 4 of the said section 4 is amended by striking out "but which shall not exceed 6 per cent per annum" in the fifth and sixth lines, so that the subsection shall read as follows: <sup>1958, c. 166, s. 4, amended</sup>

- (4) When the Corporation has advanced money as provided in subsection 3, it shall have a lien upon the dwelling in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council, and the amount of the advance with the interest thereon shall be repayable to the Corporation by the owner of such dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the council, which period shall not exceed ten years, but need not be the same in the case of each advance, in the same manner and at the same time as the municipal taxes on the dwelling. <sup>Lien for advances and re-payment</sup>

1958,  
c. 166, s. 4.  
subs. 9,  
amended

(5) Subsection 9 of the said section 4 is amended by striking out "section 82 of *The Public Health Act*, and the provisions of sections 82, 123, 124, subsections 2 and 3 of section 125 and section 126" in the sixth, seventh and eighth lines and inserting in lieu thereof "section 84 of *The Public Health Act*, and sections 84, 114 and 115", so that the subsection shall read as follows:

Powers of  
inspectors  
to enter  
dwellings

(9) For the enforcement of any by-law passed under the authority of this section, or of any by-law to provide for the safety of buildings, the inspector and any person acting under his instructions shall have the same right to enter, inspect and examine any dwelling or premises as an inspector under section 84 of *The Public Health Act*, and sections 84, 114 and 115 of that Act shall apply *mutatis mutandis*.

R.S.O. 1960,  
c. 321

Interpre-  
tation

1962-63,  
c. 39

2.—(1) In this section, "drainage works" and "maintenance" mean drainage works and maintenance as defined in *The Drainage Act*, 1962-63.

Mainten-  
ance of  
drainage  
works

(2) Notwithstanding the provisions of *The Drainage Act*, 1962-63, the council of the Corporation may pass by-laws to authorize the maintenance of all drainage works in the City of Windsor or in any defined area thereof, and to provide that the cost of such maintenance shall be charged and collected by a special rate sufficient therefor, levied upon all the rateable property in the City of Windsor or in any such defined area.

Entry upon  
land  
without  
consent

(3) Such by-laws may authorize all persons engaged in such work to enter upon such lands within the City of Windsor as may be necessary therefor, without leave or consent of the owner or any other person, provided that no person shall cause any unnecessary damage to any property in so doing.

Repeal of  
by-law  
prohibited

(4) No by-law passed under this section shall be repealed.

Commence-  
ment

3.—(1) This Act, except section 2, comes into force on the day it receives Royal Assent.

Idem

(2) Section 2 shall be deemed to have come into force on the 1st day of January, 1966.

Short title

4. This Act may be cited as *The City of Windsor Act*, 1968.



## CHAPTER 184

**An Act respecting  
Wool and Gift Shops (Toronto) Limited**

*Assented to April 11th, 1968  
Session Prorogued July 23rd, 1968*

**W**HEREAS Lilith Standish, Thomas T. Standish and Preamble  
Gerrard S. MacLean by their petition have represented that Wool and Gift Shops (Toronto) Limited, herein called the Corporation, was incorporated by letters patent dated the 22nd day of August, 1955; that the Provincial Secretary, by Order dated the 21st day of September, 1959, and made under the authority of subsection 2 of section 325 of *The Corporations Act, 1953* cancelled the letters patent of the Corporation and declared it to be dissolved on the 26th day of October, 1959; that the petitioners were all the directors and holders of all the common shares of the Corporation at the time of its dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 325 of *The Corporations Act, 1953* were sent to the persons of record on the files of the Department of the Provincial Secretary, none of whom was a petitioner; that none of the petitioners was aware of the dissolution of the Corporation until more than one year after the date thereof; that the Corporation at the time of its dissolution was registered as the owner of a lease on real property in the County of York in the Province of Ontario and at the present time is carrying on an active business; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Wool and Gift Shops (Toronto) Limited, incorporated by letters patent dated the 22nd day of August, 1955, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject

Wool and  
Gift Shops  
(Toronto)  
Limited  
revived



to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-  
ment

**2.** This Act comes into force on the day it receives Royal Assent.

Short title

**3.** This Act may be cited as *The Wool and Gift Shops (Toronto) Limited Act, 1968*.

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amended.....	336/63	Dec. 28/63	
amended.....	338/63	Dec. 28/63	
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amended.....	38/64	Feb. 22/64	
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amended.....	308/66	Oct. 15/66	
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<i>amended</i> .....	...	18/67	Jan. 28/67
<i>amended</i> .....	...	132/67	April 22/67
<i>amended</i> .....	...	66/68	May 9/68
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<i>amended</i> .....		8/62	Jan. 20/62
<i>amended</i> .....		236/62	Oct. 6/62
<i>amended</i> .....		316/62	Dec. 15/62
<i>amended</i> .....		106/63	May 11/63
<i>amended</i> .....		173/63	July 13/63
<i>amended</i> .....		281/63	Nov. 2/63
<i>amended</i> .....		70/64	April 11/64
<i>amended</i> .....		131/64	June 20/64
<i>amended</i> .....		132/64	June 20/64
<i>amended</i> .....		240/64	Sept. 26/64
<i>amended</i> .....		30/65	Feb. 6/65
<i>amended</i> .....		91/65	May 1/65
<i>amended</i> .....		123/65	May 29/65
<i>amended</i> .....		241/65	Oct. 2/65
<i>amended</i> .....		269/66	Sept. 10/66
<i>amended</i> .....		385/66	Dec. 31/66
<i>amended</i> .....		32/67	Feb. 11/67
<i>amended</i> .....		179/67	May 27/67
<i>amended</i> .....		317/67	Sept. 16/67
<i>amended</i> .....		311/68	Sept. 7/68
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<i>amended</i> .....	.....	186/62	Aug. 4/62
<i>amended</i> .....	.....	128/63	June 8/63
<i>amended</i> .....	.....	209/63	Aug. 17/63
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<i>amended</i> .....	.....	61/65	Mar. 20/65
<i>amended</i> .....	.....	185/65	July 31/65
<i>amended</i> .....	.....	3/68	Jan. 13/68
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<i>amended</i> .....	.....	259/64	Oct. 17/64
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<i>amended</i> .....	...	328/62	Dec. 22/62
<i>amended</i> .....	...	45/63	Mar. 9/63
<i>amended</i> .....	...	347/63	Jan. 4/64
<i>amended</i> .....	...	16/65	Jan. 30/65
<i>amended</i> .....	...	176/65	July 24/65
<i>amended</i> .....	...	219/65	Sept. 18/65
<i>amended</i> .....	...	299/65	Nov. 20/65
<i>amended</i> .....	...	335/65	Dec. 25/65
<i>amended</i> .....	...	340/65	Jan. 1/66
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<i>amended</i> .....	...	78/67	Mar. 11/67



## PART II

Showing the Regulations contained in Revised Regulations of Ontario, 1960 and subsequent Regulations filed to the 12th day of September, 1968, that have been revoked, are revoking only or have expired.

R.R.O. 1960 Regulations	Disposition	R.R.O. 1960 Regulations	Disposition
3	See S.O. 1961-62, c. 42, s. 20	113	Rev. 293/61
7	See S.O. 1965, c. 2	124	Rev. 377/61
8	Rev. 310/68	128	Rev. 4/66
10	Rev. 158/63	131	Rev. 156/61
11	Rev. 268/64	132	Rev. 334/64
12	Rev. 264/64	134	Rev. 196/64
13	Rev. 264/64	135	See S.O. 1961-62, c. 93, s. 19
14	Rev. 277/64	136	See S.O. 1961-62, c. 93, s. 19
15	Rev. 270/64	145	Rev. 232/66
16	Rev. 270/64	149	Rev. 229/68
17	Rev. 279/64	150	Rev. 50/66
18	Rev. 272/64	153	Rev. 97/67
19	Rev. 272/64	156	Rev. 110/66
20	Rev. 273/64	157	Rev. 174/66
21	Rev. 278/64	164	Rev. 98/67
22	Rev. 278/64	180	See S.O. 1961-62, c. 93, s. 19
23	Rev. 274/64	181	See S.O. 1964, c. 32, s. 1
24	Rev. 274/64	186	Rev. 319/63
25	Rev. 276/64	187	Rev. 152/63
26	Rev. 276/64	188	Rev. 22/65
30	Rev. 26/64	189	Rev. 46/65
31	Rev. 104/67	190	Rev. 343/64
33	Rev. 26/67	191	Rev. 152/63
34	See S.O. 1960-61, c. 5, s. 17	192	Rev. 347/61
40	Rev. 111/62	193	Rev. 94/64
41	Rev. 329/65	194	Rev. 322/61
43	Rev. 338/65	195	Rev. 264/61
44	Rev. 339/65	196	Rev. 234/61
46	Rev. 133/61	197	Rev. 237/61
49	Rev. 297/64	198	Rev. 243/61
50	Rev. 271/65	199	Rev. 15/68
64	Rev. 384/61	200	Rev. 16/68
66	Rev. 221/66	201	Rev. 247/63
70	Rev. 297/67	203	Rev. 226/63
72	Rev. 283/63	204	Rev. 82/64
74	Rev. 332/65	205	Rev. 276/66
75	Rev. 63/66	207	Rev. 239/67
79	Rev. 258/61	210	Rev. 301/61
80	Rev. 123/64	211	Rev. 180/63
81	Rev. 340/66	220	Rev. 118/65
83	Rev. 143/61	221	Rev. 129/62
84	Rev. 142/61	225	Exp.
85	Rev. 416/67	228	Exp.
86	Rev. 175/64	235	Rev. 156/62
89	Rev. 20/66	238	Rev. 1/67
90	Rev. 28/63	241	Rev. 169/66
92	Rev. 19/66	247	Rev. 199/64
93	Rev. 313/68	249	Rev. 434/67
95	Rev. 280/63	250	Rev. 428/67
97	Rev. 142/61	251	Rev. 326/67
98	Rev. 341/66	255	Rev. 42/68
102	Rev. 199/65	257	Rev. 193/62
106	Rev. 137/62	261	Rev. 284/68
109	Rev. 100/63		
111	Rev. 260/65		

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141/61	Rev. 297/67	281/61	Rev. 355/61
143/61	Rev. 37/62	282/61	Rev. 301/61
144/61	Rev. 416/67	283/61	Revkg.
147/61	Rev. 199/65	286/61	Revkg.
149/61	Rev. 260/65	287/61	Rev. 190/62
155/61	Rev. 41/65	288/61	Rev. 190/62
156/61	Rev. 325/64	289/61	Rev. 190/62
157/61	Rev. 334/64	290/61	See S.O. 1965, c. 72, s. 27
158/61	See S.O. 1961-62, c. 93, s. 19	292/61	Rev. 119/62
162/61	Rev. 229/68	294/61	Rev. 39/64
165/61	Rev. 349/61	295/61	See S.O. 1965, c. 72, s. 27
169/61	Rev. 318/68	296/61	Rev. 76/67
170/61	Revkg.	299/61	Exp.
171/61	Rev. 82/64	300/61	Rev. 133/62
172/61	Rev. 239/67	301/61	Rev. 359/66
174/61	Rev. 301/61	302/61	Exp.
179/61	Rev. 41/62	305/61	Rev. 22/65
186/61	Rev. 1/67	306/61	Rev. 229/63
202/61	Rev. 265/66	308/61	Rev. 190/62
206/61	Rev. 190/68	309/61	Rev. 29/66
207/61	Rev. 387/61	310/61	Rev. 224/67
210/61	Rev. 21/63	311/61	Rev. 305/63
211/61	Rev. 163/68	312/61	Revkg.
213/61	Rev. 309/67	314/61	Rev. 59/65
217/61	Rev. 305/63	317/61	Rev. 26/67
219/61	Rev. 110/63	319/61	Rev. 325/64
220/61	Rev. 14/65	320/61	Rev. 254/62
221/61	Rev. 190/62	321/61	Rev. 259/62
222/61	Rev. 190/62	322/61	Rev. 286/63
226/61	See S.O. 1961-62, c. 124, s. 1	324/61	Rev. 2/63
227/61	Rev. 9/62	326/61	Rev. 68/62
228/61	See S.O. 1966, c. 142, s. 147 (1)	327/61	Rev. 47/63
234/61	Rev. 133/62	331/61	Rev. 104/67
235/61	Exp.	333/61	Rev. 141/66
236/61	Exp.	334/61	Rev. 218/62
237/61	Rev. 176/62	341/61	See S.O. 1966, c. 142, s. 147 (1)
238/61	Rev. 289/63	343/61	Rev. 125/64
239/61	See S.O. 1966, c. 142, s. 147 (1)	344/61	Rev. 276/63
242/61	Rev. 133/62	345/61	Rev. 226/63
243/61	Rev. 133/62	347/61	Revkg.
245/61	Rev. 149/62	351/61	Exp.
246/61	Rev. 211/63	352/61	Rev. 284/63
247/61	Rev. 190/62	355/61	Rev. 229/63
248/61	Rev. 104/67	362/61	Rev. 239/67
249/61	Rev. 37/62	365/61	Rev. 141/66
250/61	Rev. 190/62	367/61	Rev. 339/65
251/61	Rev. 190/62	368/61	Rev. 264/66
253/61	Rev. 211/63	372/61	Rev. 25/65
255/61	Rev. 265/64	375/61	Rev. 311/64
256/61	Rev. 110/63	376/61	Rev. 248/65
257/61	Rev. 115/68	378/61	Rev. 283/63
258/61	Rev. 305/62	381/61	Exp.
262/61	Rev. 176/62	382/61	Rev. 333/62
264/61	Rev. 229/63	383/61	Rev. 117/62
267/61	Rev. 247/63	385/61	Rev. 156/62
269/61	Rev. 305/63	387/61	Rev. 191/68
270/61	Rev. 187/65	388/61	Exp.
271/61	Rev. 133/62	4/62	Rev. 182/64
274/61	Rev. 235/65	5/62	Rev. 190/62
275/61	Rev. 1/67	6/62	Rev. 196/64
278/61	Rev. 266/62	7/62	Rev. 110/63
279/61	Exp.	9/62	See S.O. 1964, c. 103, s. 1.
280/61	Rev. 133/62	10/62	Rev. 416/67
		11/67	Exp.
		16/62	Rev. 309/67

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18/62	Rev. 206/68	152/62	Rev. 297/67
19/62	Rev. 226/63	154/62	Rev. 187/65
20/62	Rev. 82/64	156/62	Revkg.
24/62	Rev. 325/64	160/62	Rev. 190/62
25/62	Rev. 22/65	161/62	Exp.
26/62	Rev. 1/67	163/62	Exp.
30/62	Rev. 13/63	165/62	Rev. 189/63
31/62	Rev. 61/64	166/62	Rev. 128/65
32/62	Rev. 5/65	171/62	Rev. 247/64
34/62	Rev. 416/67	173/62	Rev. 170/63
36/62	Rev. 247/63	175/62	Rev. 239/67
37/62	Rev. 32/63	176/62	Rev. 249/63
40/62	Rev. 194/64	182/62	Rev. 274/64
43/62	Rev. 176/62	187/62	Rev. 222/67
47/62	Rev. 425/67	191/62	Rev. 160/65
48/62	Rev. 309/66	193/62	Rev. 51/67
49/62	Rev. 224/64	194/62	Rev. 264/66
50/62	Rev. 104/67	198/62	Rev. 339/65
51/62	Rev. 182/64	199/62	Rev. 1/67
53/62	Rev. 260/65	200/62	Rev. 304/63
56/62	Rev. 300/66	201/62	Rev. 260/65
57/62	Rev. 305/63	202/62	Rev. 265/66
59/62	See S.O. 1965, c. 72, s. 27	204/62	Rev. 22/65
60/62	See S.O. 1966, c. 142, s. 147 (1)	206/62	Rev. 93/67
61/62	Rev. 297/64	207/62	Rev. 192/68
62/62	Rev. 170/65	210/62	Rev. 199/65
63/62	Rev. 104/67	211/62	Rev. 102/66
67/62	Rev. 19/66	212/62	Rev. 309/67
68/62	Rev. 190/68	214/62	Rev. 236/63
71/62	Rev. 300/66	215/62	Rev. 240/63
72/62	Rev. 196/64	218/62	Revkg.
73/62	Rev. 309/64	219/62	Rev. 229/68
76/62	Rev. 151/64	220/62	Rev. 326/64
78/62	Rev. 239/67	221/62	Rev. 325/64
79/62	Rev. 26/65	222/62	Rev. 162/63
83/62	Rev. 325/64	223/62	Rev. 110/63
87/62	Rev. 82/64	224/62	Rev. 1/67
91/62	Rev. 13/63	228/62	Rev. 366/67
92/62	Exp.	229/62	Rev. 184/65
93/62	Rev. 1/67	230/62	Rev. 246/64
94/62	Rev. 110/63	233/62	Rev. 189/63
95/62	Rev. 313/62	234/62	Exp.
96/62	Rev. 294/62	235/62	Rev. 189/63
100/62	Rev. 359/66	237/62	Rev. 276/66
101/62	Rev. 305/63	238/62	Rev. 230/66
102/62	Rev. 211/63	239/62	Rev. 230/66
104/62	Exp.	242/62	Rev. 249/63
105/62	Rev. 127/63	243/62	Rev. 41/63
109/62	Rev. 94/67	246/62	Rev. 271/65
110/62	Rev. 116/63	248/62	Rev. 97/68
113/62	Rev. 110/63	250/62	Rev. 18/65
114/62	Rev. 230/66	253/62	Rev. 153/67
120/62	Rev. 339/65	254/62	Rev. 211/65
121/62	Rev. 190/68	255/62	Rev. 163/67
127/62	Rev. 107/63	256/62	Rev. 286/63
131/62	Rev. 82/64	257/62	Rev. 22/65
132/62	Rev. 229/63	258/62	Rev. 162/63
133/62	Rev. 189/63	259/62	Rev. 285/63
134/62	Rev. 189/63	260/62	Rev. 280/63
135/62	See S.O. 1967, c. 78, s. 1	267/62	Rev. 72/68
136/62	Rev. 341/66	268/62	Rev. 305/63
138/62	Rev. 199/65	269/62	Rev. 258/63
142/62	Rev. 132/64	272/62	Rev. 189/63
144/62	Rev. 1/67	274/62	Rev. 322/62
148/62	Rev. 190/68	275/62	Rev. 359/66
150/62	Rev. 37/68	279/62	Rev. 305/63
		280/62	Rev. 4/67



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283/62	Rev. 130/66	93/63	Rev. 190/68
285/62	Rev. 284/63	94/63	Rev. 306/63
288/62	Rev. 338/65	97/63	Exp.
289/62	Rev. 27/63	98/63	Exp.
290/62	Rev. 110/63	101/63	Rev. 305/63
291/62	Revkg.	105/63	Rev. 1/67
292/62	Rev. 189/63	110/63	Rev. 364/67
295/62	Rev. 249/63	115/63	Rev. 185/67
297/62	Rev. 1/67	125/63	Rev. 53/64
299/62	Exp.	126/63	Rev. 226/63
300/62	Rev. 82/64	127/63	Rev. 82/64
305/62	Rev. 302/64	129/63	Rev. 5/64
309/62	Rev. 305/63	130/63	Rev. 87/68
315/62	Rev. 110/63	131/63	Rev. 26/65
321/62	Rev. 190/68	133/63	Rev. 6/65
326/62	Rev. 359/66	134/63	Rev. 38/66
327/62	Rev. 297/64	135/63	Rev. 6/65
334/62	Rev. 311/63	136/63	Rev. 7/65
336/62	Rev. 342/65	137/63	Revkg.
340/62	Rev. 323/64	138/63	Rev. 152/64
		141/63	Rev. 184/64
2/63	Rev. 305/63	143/63	Exp.
3/63	Rev. 104/67	144/63	Rev. 239/67
4/63	Rev. 359/66	146/63	Rev. 182/64
8/63	Rev. 350/63	147/63	Rev. 107/66
9/63	Revkg.	149/63	Rev. 329/65
11/63	Rev. 104/67	152/63	Revkg.
13/63	Rev. 11/64	153/63	Rev. 127/67
17/63	Rev. 378/66	155/63	Rev. 179/67
19/63	Rev. 110/63	156/63	Rev. 1/67
20/63	Rev. 1/67	157/63	Rev. 267/64
24/63	Rev. 326/64	158/63	Revkg.
26/63	Rev. 305/63	159/63	Rev. 267/64
27/63	Rev. 125/64	160/63	Rev. 272/64
29/63	Rev. 340/66	162/63	Revkg.
32/63	Rev. 16/64	163/63	Rev. 316/66
35/63	Rev. 254/65	164/63	Rev. 13/65
36/63	Rev. 305/63	165/63	Rev. 16/64
37/63	Rev. 190/68	171/63	Rev. 359/66
38/63	Rev. 187/65	177/63	Rev. 172/66
39/63	Rev. 289/63	180/63	Revkg.
40/63	Rev. 11/64	181/63	Rev. 316/64
42/63	Rev. 121/64	183/63	Rev. 307/68
44/63	Rev. 290/68	187/63	Rev. 182/64
46/63	Rev. 339/65	189/63	Rev. 139/65
48/63	Rev. 25/65	191/63	Rev. 190/68
50/63	Rev. 76/67	192/63	Rev. 1/67
51/63	Rev. 107/67	193/63	Rev. 364/67
52/63	Rev. 416/67	195/63	Rev. 177/64
55/63	Rev. 1/67	196/63	See S.O. 1966,
56/63	Rev. 110/63		c. 142, s. 147 (1)
58/63	Rev. 149/64	199/63	Exp.
61/63	Rev. 221/65	202/63	Rev. 28/66
64/63	Rev. 260/65	210/63	Rev. 235/64
65/63	Revkg.	213/63	Rev. 1/67
66/63	Rev. 46/65	217/63	Rev. 174/66
68/63	Rev. 305/63	218/63	Rev. 50/66
74/63	Rev. 244/64	224/63	Rev. 308/63
79/63	Rev. 199/65	226/63	Rev. 208/67
82/63	Rev. 46/65	230/63	Rev. 190/68
83/63	Rev. 71/65	235/63	Rev. 417/67
84/63	Rev. 24/65	237/63	Rev. 229/68
85/63	Exp.	238/63	Rev. 110/66
86/63	Rev. 190/68	244/63	Rev. 279/64
87/63	Rev. 230/66	246/63	Rev. 139/65
88/63	Rev. 182/64	249/63	Revkg.
92/63	Rev. 191/68	251/63	Rev. 89/64



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254/63	Rev. 35/66	58/64	Rev. 1/67
255/63	Rev. 152/64	59/64	Rev. 364/67
258/63	Rev. 283/64	62/64	Rev. 175/65
261/63	See S.O. 1965, c. 72, s. 27	67/64	Rev. 302/64
262/63	Rev. 264/66	71/64	Rev. 1/67
266/63	Rev. 127/67	72/64	Rev. 99/68
267/63	Rev. 177/64	77/64	Rev. 1/67
269/63	Rev. 247/65	78/64	Exp.
272/63	Rev. 1/67	79/64	Exp.
273/63	Rev. 177/64	82/64	Rev. 208/67
275/63	Rev. 329/65	83/64	Rev. 378/66
276/63	Rev. 99/65	86/64	Rev. 320/65
277/63	Rev. 62/68	91/64	Rev. 163/68
278/63	Rev. 297/64	92/64	Rev. 179/67
280/63	Rev. 278/66	93/64	Rev. 208/67
285/63	Rev. 277/68	94/64	Rev. 14/68
286/63	Rev. 277/68	95/64	Rev. 6/65
289/63	Rev. 111/64	96/64	Rev. 6/65
290/63	Exp.	97/64	Rev. 7/65
293/63	Exp.	98/64	Rev. 7/65
294/63	Rev. 373/66	99/64	Rev. 38/66
297/63	Rev. 177/64	100/64	Rev. 8/65
298/63	Rev. 139/65	101/64	Rev. 8/65
299/63	Rev. 139/65	102/64	Rev. 38/66
301/63	Rev. 1/67	103/64	Rev. 7/65
302/63	Rev. 364/67	104/64	Rev. 71/67
304/63	Rev. 378/66	107/64	Rev. 208/67
309/63	Rev. 309/67	108/64	Rev. 1/67
310/63	Rev. 274/67	109/64	Rev. 206/67
313/63	Rev. 24/65	111/64	Revkg.
314/63	Rev. 260/65	113/64	Rev. 416/67
316/63	Exp.	115/64	Rev. 163/67
317/63	Rev. 301/64	120/64	Rev. 302/66
318/63	Rev. 22/64	123/64	Rev. 271/68
326/63	Rev. 14/65	124/64	Rev. 213/65
332/63	Rev. 197/64	125/64	See S.O. 1965, c. 72, s. 27
335/63	Rev. 78/68	126/64	Rev. 38/66
343/63	Rev. 76/67	127/64	Rev. 7/65
344/63	Rev. 152/64	128/64	Rev. 7/65
349/63	Rev. 325/64	129/64	Rev. 200/65
350/63	Rev. 334/64	130/64	Rev. 28/66
		133/64	Rev. 260/65
5/64	Rev. 445/67	134/64	Rev. 359/66
6/64	Rev. 1/67	136/64	Rev. 99/68
9/64	Rev. 309/67	137/64	Rev. 1/67
10/64	Rev. 182/64	139/64	Rev. 176/64
11/64	Rev. 19/65	143/64	Rev. 7/65
12/64	Rev. 329/65	144/64	Rev. 8/65
13/64	Rev. 107/67	145/64	Rev. 7/65
16/64	Rev. 43/65	146/64	Rev. 6/65
17/64	Exp.	147/64	Rev. 6/65
21/64	Rev. 297/65	148/64	Rev. 8/65
24/64	Rev. 355/67	149/64	Rev. 61/66
25/64	See S.O. 1965, c. 72, s. 27	152/64	Rev. 158/65
27/64	Rev. 266/64	153/64	Rev. 153/65
28/64	Rev. 266/64	156/64	Rev. 139/67
30/64	Rev. 1/67	164/64	Rev. 364/67
32/64	Rev. 35/66	165/64	Rev. 1/67
33/64	Rev. 303/65	169/64	Rev. 4/67
34/64	Rev. 301/66	172/64	Rev. 309/64
35/64	Rev. 239/67	174/64	Rev. 208/67
39/64	Rev. 309/64	177/64	Rev. 159/65
42/64	Rev. 107/66	182/64	Rev. 240/66
45/64	Rev. 240/67	187/64	Rev. 217/65
46/64	Rev. 139/65	189/64	Rev. 279/65
50/64	See S.O. 1964, c. 17, s. 1	190/64	Rev. 359/66
54/64	Rev. 94/67	192/64	Rev. 158/65

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201/64	Rev. 188/65	15/65	Rev. 92/66
202/64	Rev. 1/67	19/65	Rev. 6/66
206/64	Rev. 139/65	21/65	Rev. 208/67
211/64	Rev. 278/65	26/65	Rev. 64/68
212/64	Rev. 229/68	28/65	Rev. 319/67
214/64	Rev. 50/67	33/65	Rev. 309/67
217/64	Rev. 397/66	35/65	Rev. 314/68
218/64	Rev. 8/65	38/65	Rev. 1/67
220/64	Revkg.	39/65	Rev. 364/67
221/64	Rev. 88/66	40/65	Rev. 364/67
222/64	Rev. 262/64	42/65	Rev. 187/65
230/64	Rev. 25/65	43/65	Rev. 24/66
232/64	Rev. 239/67	44/65	Rev. 260/65
233/64	Rev. 364/67	49/65	See S.O. 1966, c. 142, s. 147 (1)
236/64	Rev. 161/68		Rev. 163/68
241/64	Rev. 303/67	50/65	Rev. 213/65
245/64	Rev. 260/65	51/65	Rev. 190/68
246/64	Rev. 264/66	52/65	Rev. 188/65
247/64	Rev. 102/66	55/65	Exp.
248/64	Rev. 43/65	57/65	Rev. 416/67
250/64	Rev. 274/67	65/65	Rev. 1/67
251/64	Rev. 277/68	67/65	Rev. 239/65
255/64	Rev. 7/65	68/65	Rev. 199/65
256/64	Rev. 8/65	78/65	Rev. 1/67
257/64	Rev. 9/65	79/65	Rev. 208/67
258/64	Rev. 6/65	81/65	Rev. 208/67
260/64	Rev. 127/67	82/65	Rev. 445/67
263/64	Rev. 276/66	84/65	Rev. 364/67
269/64	Rev. 375/66	85/65	Rev. 1/67
271/64	Rev. 72/66	86/65	Rev. 104/67
272/64	Rev. 65/67	95/65	Rev. 239/67
273/64	Rev. 66/67	106/65	Rev. 260/65
277/64	Revkg.	107/65	Rev. 416/67
280/64	Exp.	110/65	Rev. 109/68
281/64	Rev. 277/68	113/65	Rev. 260/65
286/64	Rev. 159/65	114/65	Rev. 110/66
290/64	Rev. 139/65	119/65	Rev. 190/68
291/64	Rev. 217/67	130/65	Rev. 364/67
292/64	Rev. 208/67	138/65	Rev. 278/68
295/64	Rev. 190/68	139/65	Rev. 208/67
298/64	Exp.	145/65	Rev. 208/67
300/64	Rev. 297/65	146/65	Rev. 208/67
301/64	Rev. 314/65	147/65	Rev. 213/65
303/64	Rev. 1/67	150/65	Rev. 188/65
304/64	Rev. 364/67	151/65	Rev. 288/66
306/64	Rev. 287/67	153/65	Rev. 9/66
307/64	Exp.	158/65	Rev. 253/66
313/64	Revkg.	159/65	Rev. 62/68
318/64	Rev. 260/65	164/65	Rev. 1/67
321/64	Rev. 151/65	167/65	Rev. 253/65
327/64	Rev. 297/65	168/65	Rev. 208/67
329/64	Rev. 416/67	177/65	Rev. 278/68
330/64	Rev. 417/67	180/65	Rev. 253/66
332/64	Exp.	181/65	Rev. 103/66
333/64	Rev. 166/66	188/65	Rev. 115/68
336/64	Rev. 166/67	189/65	Rev. 359/66
337/64	Rev. 270/66	190/65	Rev. 208/67
338/64	Rev. 239/67	194/65	Rev. 107/67
340/64	Rev. 191/68	196/65	Rev. 364/67
341/64	Rev. 276/66	197/65	Rev. 1/67
346/64	Rev. 61/66	198/65	Rev. 199/66
		199/65	Rev. 331/66
6/65	Rev. 39/66	200/65	Rev. 1/67
7/65	Rev. 39/66	217/65	Rev. 1/67
8/65	Rev. 39/66	220/65	Rev. 40/67
9/65	Rev. 40/66	230/65	Rev. 99/68
14/65	Rev. 56/67	232/65	

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236/65	Rev. 278/68	67/66	Rev. 155/66
237/65	Rev. 318/68	76/66	Rev. 68/68
238/65	Rev. 16/68	80/66	Rev. 171/66
240/65	Exp.	83/66	Rev. 276/66
252/65	Rev. 72/67	85/66	Rev. 68/68
253/65	Rev. 364/67	89/66	Rev. 69/67
254/65	Rev. 373/66	92/66	Revkg.
260/65	Rev. 75/67	94/66	Rev. 416/67
261/65	Rev. 127/67	98/66	Rev. 75/67
265/65	Rev. 335/66	100/66	Rev. 190/68
266/65	Rev. 278/68	105/66	Exp.
267/65	Rev. 235/68	110/66	Revkg.
272/65	Rev. 278/68	111/66	Exp.
277/65	Rev. 263/67	119/66	Rev. 361/66
278/65	Revkg.	122/66	Exp.
279/65	Revkg.	123/66	Exp.
282/65	Rev. 44/66	124/66	Exp.
283/65	Rev. 129/67	127/66	Rev. 68/68
284/65	Rev. 303/65	132/66	Rev. 351/67
288/65	Rev. 107/67	136/66	Rev. 1/67
293/65	Rev. 304/67	137/66	Rev. 364/67
295/65	Rev. 68/68	138/66	Exp.
298/65	Rev. 76/67	139/66	Rev. 24/67
300/65	Rev. 75/67	141/66	Revkg.
301/65	Rev. 190/68	145/66	Rev. 75/67
303/65	Revkg.	146/66	Rev. 276/67
304/65	Rev. 263/67	148/66	Rev. 310/66
305/65	Exp.	155/66	Rev. 75/67
306/65	Rev. 103/66	159/66	Rev. 56/67
309/65	Rev. 290/68	161/66	Rev. 194/66
311/65	Rev. 199/66	168/66	Rev. 229/68
314/65	Rev. 389/66	176/66	Rev. 75/67
320/65	Rev. 296/66	178/66	Rev. 350/66
321/65	Rev. 1/67	181/66	Rev. 1/67
322/65	Rev. 109/68	186/66	Rev. 445/67
329/65	Revkg.	194/66	Rev. 68/68
334/65	Rev. 97/68	199/66	Revkg.
342/65	Rev. 129/67	200/66	Rev. 417/67
343/65	Rev. 196/67	210/66	Rev. 1/67
344/65	Rev. 44/66	213/66	Rev. 68/68
345/65	Rev. 309/67	218/66	Rev. 75/67
351/65	Rev. 24/66	232/66	Rev. 82/67
354/65	Rev. 104/67	236/66	Rev. 141/68
1/66	Rev. 145/66	247/66	Rev. 1/67
6/66	Rev. 36/67	248/66	Rev. 75/67
9/66	Rev. 295/67	253/66	Rev. 272/67
10/66	Rev. 68/68	256/66	Rev. 24/67
13/66	Rev. 395/66	257/66	Rev. 359/66
15/66	Rev. 191/68	259/66	Rev. 287/66
16/66	Rev. 190/68	266/66	Rev. 359/66
17/66	Rev. 341/66	271/66	Exp.
18/66	Rev. 271/68	272/66	Rev. 278/68
24/66	Rev. 24/67	277/66	Rev. 104/67
31/66	Exp.	285/66	Rev. 68/68
33/66	Rev. 359/66	287/66	Rev. 324/66
36/66	Rev. 341/66	288/66	Rev. 294/67
37/66	Rev. 295/67	296/66	Rev. 408/67
45/66	Rev. 85/66	300/66	Rev. 282/68
49/66	Exp.	303/66	Rev. 82/68
50/66	Revkg.	304/66	Rev. 68/68
51/65	Rev. 229/68	306/66	Rev. 68/68
54/66	Rev. 68/68	307/66	Rev. 196/67
56/66	Rev. 163/68	314/66	Rev. 295/67
57/66	Rev. 164/68	319/66	Rev. 359/66
62/66	Rev. 314/68	322/66	Rev. 64/68
65/66	Exp.	323/66	Rev. 62/68
		324/66	Rev. 75/67

Ontario Regulations	Disposition	Ontario Regulations	Disposition
326/66	Rev. 1/67	172/67	Rev. 376/67
327/66	Rev. 364/67	173/67	Rev. 68/68
330/66	Rev. 272/67	175/67	Rev. 68/68
334/66	Rev. 278/68	186/67	Rev. 364/67
335/66	Rev. 277/68	192/67	Rev. 307/68
338/66	Rev. 75/67	228/67	Rev. 306/67
340/66	Revkg.	235/67	Rev. 354/67
341/66	Revkg.	237/67	Rev. 364/67
342/66	Rev. 277/68	267/67	Rev. 72/68
345/66	Rev. 229/68	273/67	Rev. 277/68
351/66	Rev. 24/67	274/67	Rev. 277/68
354/66	Rev. 192/68	300/67	Rev. 364/67
355/66	Rev. 190/68	311/67	Rev. 445/67
357/66	Exp.	312/67	Rev. 445/67
376/66	Rev. 364/67	313/67	Rev. 445/67
377/66	Rev. 75/67	321/67	Rev. 364/67
386/66	Rev. 452/67	325/67	Rev. 280/68
389/66	Rev. 452/67	329/67	Rev. 241/68
391/66	Rev. 173/67	339/67	Rev. 68/68
395/66	Rev. 75/67	341/67	Rev. 43/68
		349/67	Rev. 278/68
14/67	Rev. 75/67	351/67	Rev. 190/68
21/67	Exp.	354/67	Rev. 109/68
23/67	Rev. 68/68	369/67	Rev. 279/68
24/67	Rev. 43/68	373/67	Rev. 43/68
28/67	Rev. 172/67	375/67	Rev. 278/68
31/67	Rev. 365/67	376/67	Rev. 117/68
36/67	Rev. 25/68	384/67	Rev. 278/68
38/67	Rev. 352/67	408/67	Rev. 258/68
48/67	Rev. 94/68	413/67	Rev. 68/68
52/67	Rev. 190/68	437/67	Rev. 310/68
54/67	Rev. 416/67	441/67	Rev. 279/68
67/67	Rev. 417/67	456/67	Rev. 109/68
73/67	Rev. 235/67		
87/67	Rev. 185/68	7/68	Rev. 155/68
88/67	Rev. 416/67	38/68	Rev. 310/68
110/67	Rev. 68/68	46/68	Rev. 312/68
115/67	Exp.	92/68	Rev. 282/68
118/67	Rev. 345/67	93/68	Rev. 260/68
123/67	Rev. 68/68	94/68	Rev. 162/68
129/67	Revkg.	101/68	Rev. 273/68
134/67	Exp.	111/68	Rev. 157/68
135/67	Exp.	125/68	Rev. 194/68
136/67	Exp.	134/68	Rev. 254/68
140/67	Rev. 62/68	157/68	Rev. 310/68
147/67	Exp.	165/68	Rev. 190/68
157/67	Rev. 163/68	265/68	Rev. 315/68
159/67	Rev. 77/68	288/68	Rev. 315/68





























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